



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

February 3, 2016

Jacob J. Vukich  
Manager, US Registration and Regulatory Affairs  
E.I. du Pont de Nemours and Company  
DuPont Crop Protection  
Chestnut Run Plaza  
974 Centre Road  
Wilmington, DE 19805

Subject: New Use on DuPont Inzen Grain Sorghum  
Product Name: DuPont Accent Herbicide  
EPA Registration Number: 352-560  
Application Date: December 12, 2012  
Decision Number: 473410

Dear Mr. Vukich:

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable under FIFRA section 3(c)(5) with the following conditions:

1. DuPont must submit and/or cite all data required for registration/reregistration/ registration review of this product when the Agency requires all registrants of similar products to submit such data.
2. This approval is only for a supplemental label that is an addendum to the master label. This approval does not affect any conditions that were previously imposed on this registration. DuPont will continue to be subjected to all existing conditions on this registration and any deadlines connected with them.
3. The use on Inzen grain sorghum will automatically **expire on January 31, 2021**, unless the Agency amends this condition otherwise.
4. DuPont must develop and follow an Herbicide Resistance Management Plan (HRM) as described in Appendix A regarding grower agreements, field detection and remediation, education, evaluation, reporting, and best management practices (BMPs).
5. DuPont must submit annual reports to the Agency by January 15<sup>th</sup> of each year as outlined in Appendix A Section D, "Reporting Component", until the Agency amends this condition otherwise.

*Continued on page 2*

This supplemental labeling contains some new and/or revised uses and/or directions which may be additional to the uses and/or directions found on the label on or attached to the container, but this supplemental labeling does not by itself constitute the complete set of use directions. The complete set of use directions is set forth on the container label as combined with this supplemental labeling.

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) lists 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.

A stamped copy of the labeling is enclosed for your records. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions, please contact Mindy Ondish by phone at 703-605-0723, or via email at [ondish.mindy@epa.gov](mailto:ondish.mindy@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Kenny', with a long horizontal flourish extending to the right.

Daniel Kenny, Chief  
Herbicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs

Enclosures

Appendix A – Herbicide Resistance Management Plan

Approved supplemental labeling – For Use on Grain Sorghum Containing the DuPont Inzen Herbicide Tolerance Trait

## APPENDIX A

### Herbicide Resistance Management Plan

DuPont Crop Protection (“DuPont”) must:

A. Grower Agreements, Field Detection and Remediation Components

1. Require that any person who purchases any Inzen sorghum seed sign a binding contract, enforceable by DuPont (similar to the sample agreement provided by DuPont to the EPA), herein referred to as a “grower agreement”. In such grower agreement, DuPont will reinforce with users of this product the critical importance of following resistance-management practices. This includes stressing the need for pre- and post-application field scouting and that a lack of herbicide efficacy should be reported promptly to DuPont or its representatives;
2. Provide a copy of the grower agreement to EPA;
3. Retain copies of all executed grower agreements for a minimum of three years from the date of execution, and make such copies available to EPA upon request;
4. If any grower informs DuPont or its representatives of a lack of herbicide efficacy in a weed species listed on product labeling, then DuPont or its representatives must make an effort to evaluate the field for likely-resistance to this product by applying the criteria below, as set forth in Norsworthy, *et al.*, “Reducing the Risks of Herbicide Resistance: Best Management Practices and Recommendations” Weed Science 2012 Special Issue: 31-62 (“Norsworthy criteria”);

Norsworthy, et al. Criteria for Determining Possible (Likely) Herbicide Resistance

- 1) *Failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds; and/or*
  - 2) *A spreading patch of non-controlled plants of a particular weed species; and/or*
  - 3) *Surviving plants mixed with controlled individuals of the same species.*
5. Keep records of all field evaluations for likely-resistance for a minimum of three years, and make such copies available to EPA upon request; and
  6. If one or more of the Norsworthy criteria are met, then:
    - a. Provide the grower with specific information and recommendations to control and contain likely-resistant weeds, including retreatment and/or other non-chemical controls, as appropriate. If requested by the grower, DuPont will become actively

- involved in implementation of weed control measures;
- b. Request, at the time of the initial determination that one or more of the Norsworthy criteria are met and prior to any application of alternative control practices, that the grower provide access to the relevant field(s) to collect specimens of the likely-resistant weeds (potted specimens or seeds) for potential further evaluation in the greenhouse or laboratory, and to collect such specimens if possible (or, alternatively, request that the grower provide such specimens to DuPont at DuPont's expense);
  - c. Conduct greenhouse or laboratory studies to confirm resistance as soon as practicable following sample collection, if technically feasible;
  - d. To the extent possible, contact or visit the grower in an appropriate timeframe after implementation of the additional weed control measures in order to evaluate success of such measures; and
  - e. If the additional weed control measures were not successful in controlling the likely-resistant weeds, then:
    - i. Work with the grower to determine the reason(s) why the additional control measures were unsuccessful;
    - ii. Report annually the inability to control the likely-resistant weeds to relevant stakeholders; and
    - iii. Offer to further assist the grower with technical expertise on how to control and contain the likely-resistant weeds, including retreatment and/or other non-chemical controls, as appropriate.

*B. Educational/Informational Component*

1. Develop and implement an education program for growers that includes the following elements:
  - a. The education program shall identify appropriate best management practices (BMPs), set forth under "Best Management Practices (BMPs) Component", below, to avoid and control weed resistance, and shall convey to growers the importance of complying with BMPs;
  - b. The education program shall include at least one written communication regarding herbicide-resistance management each year to purchasers of Inzen sorghum seed (separate and apart from the grower agreement); and

- c. The education program shall be made available to DuPont sales representatives for distribution to growers.
2. Provide a copy of the education program to EPA.

*C. Evaluation Component*

1. Annually conduct a survey of users of Inzen sorghum seed. This survey must be based on a statistically representative sample of users of Inzen sorghum seed. The sample size and geographical resolution should be adequate to allow analysis of responses within regions, between regions, and across the United States. This survey shall evaluate, at a minimum, the following:
  - a. Growers' adherence to the terms of the grower agreements; and
  - b. Whether growers have encountered any perceived issue with non-performance or lack of efficacy of this product, and if so, how growers have responded.
2. Utilize the results from the survey described in paragraph 1 of this section to annually review, and modify as appropriate for the upcoming growing season, the following:
  - a. Efforts aimed at achieving compliance with the grower agreement;
  - b. Responses to incidents of likely weed resistance and confirm weed resistance; and
  - c. The education program. At the initiative of either EPA or DuPont, both parties shall consult about possible modifications to the education program.

*D. Reporting Component*

1. Submit annual reports to EPA by January 15<sup>th</sup> of each year. The reports shall include:
  - a. Annual sales of Inzen sorghum seed and its associated herbicide product by state;
  - b. The current grower agreement;
  - c. The first annual report shall include the current education program and associated materials, and subsequent annual reports shall include updates of any aspect of the education program and associated materials that have materially changed since submission of the previous annual report;
  - d. Summary of efforts aimed at achieving compliance with the grower agreement;
  - e. Summary of determinations as to whether any reported lack of herbicide efficacy was due to likely-resistance, any follow-up actions taken, and if available, the final

- outcome (e.g., evaluation of success of additional weed control measures) regarding each case of likely-resistance. The annual report shall list the cases of likely-resistance by county and state;
- f. The results of the annual survey described in paragraph 1 of the Evaluation Component above, including whether growers are implementing herbicide resistance BMPs, and a summary of DuPont's annual review and possible modification, based on the survey, of the education program, grower agreement compliance efforts, and response to reports of likely-resistance, described in paragraph 2 of the Evaluation Component above; and
  - g. Summary of the status of any laboratory and greenhouse testing performed by or at the direction of DuPont, in response to incidents of likely-resistance, performed in the previous year. Data pertaining to such testing need not be included in the annual reports, but such data must be made available to EPA upon request.
2. Following submission of the annual report, DuPont shall meet with EPA at EPA's request in order to evaluate and consider the information contained in the report.

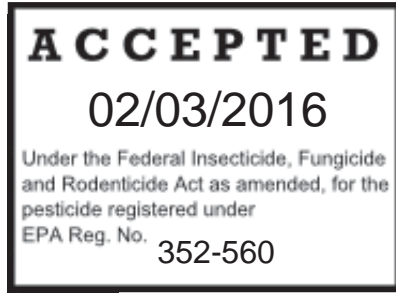
*E. Best Management Practices Component*

1. Identify best management practices (BMPs) in the education program. The grower agreement shall advise growers to follow BMPs. The following are examples of BMPs:
  - a. Regarding crop selection and cultural practices:
    - i. Understand the biology of the weeds present.
    - ii. Use a diversified approach towards weed management focused on preventing weed seed production and reducing the number of weed seeds in the soil seed-bank.
    - iii. Emphasize cultural practices that suppresses weeds by using crop competitiveness.
    - iv. Plant into weed-free fields, keep fields as weed-free as possible, and note areas where weeds were a problem in prior seasons.
    - v. Incorporate additional weed control practices whenever possible, such as mechanical cultivation, biological management practices, crop rotation, and weed-free crop seeds, as part of an integrated weed control program.
    - vi. Do not allow weed escapes to produce seeds, roots, or tubers.

- vii. Manage weed seed at harvest and post-harvest to prevent a buildup of the weed seed-bank.
  - viii. Prevent field-to-field and within-field movement of weed seed or vegetative propagules.
  - ix. Thoroughly clean plant residues from equipment before leaving fields.
  - x. Prevent and influx of weeds into the field by managing field borders.
  - xi. Fields must be scouted before application to ensure that the specific herbicide and application rates will be appropriate for the weed species and weed sizes present.
  - xii. Fields must be scouted after application to confirm herbicide effectiveness and to detect weed escapes.
  - xiii. If resistance is suspected, treat weed escapes with an alternate mode-of-action herbicide or use non-chemical methods to remove escapes.
- b. Regarding herbicide selection:
- i. Use a broad spectrum soil-applied herbicide with a mechanism of action that differs from this product as a foundation in a weed control program.
  - ii. A broad spectrum weed control program should consider all of the weeds present in the field. Weeds should be identified through scouting and field history.
  - iii. Difficult to control weeds may require sequential applications of herbicides with alternative mechanisms of action.
  - iv. Fields with difficult to control weeds should be rotated to crops that allow the use of herbicides with alternative mechanisms of action.
  - v. Apply full rates of this herbicide for the most difficult to control weeds in the field. Applications should be made when weeds are at the correct size to minimize weed escapes.
  - vi. Do not use more than two applications of this herbicide or any herbicide with the same mechanism of action within a single growing season unless mixed with another mechanism of action herbicide with overlapping spectrum for the difficult to control weeds.
  - vii. Report any incidence of lack of efficacy of this product against a particular weed species to DuPont or a DuPont representative.



**DuPont Crop  
Protection**



## SUPPLEMENTAL LABELING

**DUPONT™ ACCENT®  
HERBICIDE**

**FOR USE ON GRAIN SORGHUM  
CONTAINING THE DUPONT™ INZEN™  
HERBICIDE TOLERANCE TRAIT**

<b>GROUP</b>	<b>2</b>	<b>HERBICIDE</b>
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## DUPONT™ ACCENT® HERBICIDE

EPA Reg. No. 352-560

## FOR USE ON GRAIN SORGHUM CONTAINING THE DUPONT™ INZEN™ HERBICIDE TOLERANCE TRAIT

This supplemental label expires January 31, 2021 and must not be used or distributed after this date.

### KEEP OUT OF REACH OF CHILDREN

### CAUTION

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.)

**BEFORE USING THIS PRODUCT, READ AND CAREFULLY NOTE THE CAUTIONARY STATEMENTS AND OTHER PROCEDURAL INFORMATION APPEARING ON THE EPA REGISTERED LABEL OR ON OTHER SUPPLEMENTAL LABELS. FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, AND PRECAUTIONS.**

It is a violation of federal law to use this or any other pesticide product in a manner inconsistent with its labeling. This label contains new or supplemental instructions for use of this product which do not appear on the EPA-registered package label. Follow the instructions carefully.

This labeling must be in the possession of the user at the time of pesticide application.

Read the Limitation of Warranty and Liability on the Section 3 Federal product label before buying or using THIS product. If terms are not acceptable, return the unopened package at once to Seller for full refund of purchase price paid. Otherwise, use by Buyer or any other User constitutes acceptance of the terms of the Limitation of Warranty and Liability on the Section 3 Federal product label.

### DIRECTIONS FOR USE

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.

ACCENT® must be used only in accordance with the directions on this label or in separately published DuPont labeling. DuPont will not be responsible for losses or damages resulting from the use of this product in any manner not specifically instructed by DuPont. User assumes all risk associated with such non-labeled use.

### PRODUCT INFORMATION

Apply ACCENT® herbicide to grain sorghum containing the INZEN™ herbicide tolerance trait for postemergence control of certain annual and perennial grass weeds.

ACCENT® is a water soluble granule which contains 75% active ingredient by weight.

These application directions are specific for ACCENT® applied to grain sorghum containing the INZEN™ herbicide tolerance trait.

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Do not use ACCENT® on grain sorghum that does not contain the INZEN™ herbicide tolerance trait as severe injury or death will occur.

It is possible that pollen-mediated gene flow from grain sorghum containing the INZEN™ herbicide tolerance trait to weedy relatives, such as shattercane and johnsongrass, may contribute to the development of resistance to ALS herbicides in these species. Plant into fields in which emerged weeds have been controlled by tillage or nonselective herbicides, such as glyphosate. Manage johnsongrass and shattercane growth in road ditches, fence rows and nearby places so their flowering does not coincide with the INZEN™ sorghum trait flowering. Do not use ACCENT® on grain sorghum containing the INZEN™ herbicide tolerance trait in fields known to have ALS-resistant shattercane or johnsongrass. Adherence to the DuPont Stewardship Program, including completion of the certification program and following the Best Management Practices is necessary to reduce the risk of the development of resistance to ALS herbicides in weedy relatives.

## **WEED RESISTANCE**

DuPont™ ACCENT® contains the active ingredient nicosulfuron and is a Group 2 herbicide based on the mode of action classification system of the Weed Science Society of America. When herbicides that affect the same biological site of action are used repeatedly over several years to control the same weed species in the same field, naturally-occurring resistant biotypes may survive a correctly applied herbicide treatment, propagate, and become dominant in that field. Adequate control of these resistant weed biotypes cannot be expected. If weed control is unsatisfactory, it may be necessary to retreat the problem area using a product affecting a different site of action.

To better manage herbicide resistance through delaying the proliferation and possible dominance of herbicide resistant weed biotypes, it may be necessary to change cultural practices within and between crop seasons such as using a combination of tillage, retreatment, tank-mix partners and/or sequential herbicide applications that have a different site of action. Weed escapes that are allowed to go to seed will promote the spread of resistant biotypes.

It is advisable to keep accurate records of pesticides applied to individual fields to help obtain information on the spread and dispersal of resistant biotypes. Consult your agricultural dealer, consultant, applicator, and/or appropriate state agricultural extension service representative for specific alternative cultural practices or herbicide recommendations available in your area.

The continued availability of this product depends on the successful management of the weed resistance program; therefore, it is very important to perform the following activities.

The following steps are provided to aid in the prevention of developing weeds resistant to this product:

- Scout fields before application to ensure herbicides and rates will be appropriate for the weed species and weed sizes present.
- Apply the maximum specified labeled use rates of ACCENT® for the most difficult to control weeds in the field at the specified time (correct weed size) or when applications are made under challenging environmental conditions to minimize weed escapes.
- Scout fields after application to detect weed escapes or shifts in weed species.
- Report any incidence of non-performance of this product on a weed species listed in the “Weeds Controlled” section to your DuPont retailer, representative or 1-888-6-DUPONT [1-888-638-7668].
- If resistance is suspected in a weed species listed in the “Weeds Controlled” section or to johnsongrass or shattercane, treat the weed escapes with an herbicide having a mode of action other than Group 2 and/or use non-chemical methods to remove escapes, as practicable, with the goal of preventing further seed production. Report suspected resistance to your DuPont retailer, representative or 1-888-6-DUPONT [1-888-638-7668].

**Likely Resistance:** Indicators of likely 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 uncontrolled plants of a particular weed species; and (3) surviving plants mixed with controlled individuals of the same species. Likely resistant weeds are assumed to be present if any of these criteria are met.

Additionally, users should follow as many of the following herbicide resistance management practices as practicable:

- Use a broad spectrum soil-applied herbicide with other modes of action as a foundation in a weed control program.
- Utilize sequential applications of herbicides with alternative modes of action.
- Rotate the use of this product with non-Group 2 herbicides.
- Incorporate non-chemical weed control practices, such as mechanical cultivation, crop rotation, cover crops and weed-free crop seeds, as part of an integrated weed control program.

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- Thoroughly clean plant residues from equipment before leaving fields suspected to contain resistant weeds.
- Avoid using any other Group 2 herbicide within a single growing season unless in conjunction with another mode of action herbicide with overlapping spectrum.
- Manage weeds in and around fields, during and after harvest to reduce weed seed production.

Contact the local agricultural extension service, DuPont representative, ag retailer or crop consultant for further guidance on weed control practices as needed.

## APPLICATION DIRECTIONS

### USE RATE

Apply 0.67 to 1.33 ounces of ACCENT® (0.031 to 0.062 pounds of nicosulfuron active ingredient) per acre per application by ground or by air to grain sorghum containing the INZEN™ herbicide tolerance trait. Do not apply more than 1.33 ounces of ACCENT® (0.062 pounds of nicosulfuron active ingredient) per acre in a single application. Do not make more than two applications per crop per season or per year. Allow a minimum of 7 days between applications. Do not apply more than a combined total of 1.8 ounces of ACCENT® (0.084 pounds of nicosulfuron active ingredient) per acre per crop season or per year.

### APPLICATION TIMING

Apply DuPont™ ACCENT® to emerged grain sorghum containing the DuPont™ INZEN™ herbicide tolerance trait that is up to 20 inches tall. Applications made to 4-20 inch tall grain sorghum (approximately V3-V7 stage) are recommended for best weed control and crop tolerance. Best results are obtained when applications are made to young, actively growing weeds. Do not apply to grain sorghum taller than 20 inches.

ACCENT® may be used as a sequential postemergence application following full or reduced rates of soil applied herbicides.

### SEQUENTIAL APPLICATIONS

In the event that a subsequent flush of weeds, or a regrowth of previously treated weeds occur, a second application of ACCENT® may be applied. Do not make more than 2 applications per crop season or per year. Allow a minimum of 7 days between applications.

### WEEDS CONTROLLED

Grasses	Maximum Height or Diameter
Barnyardgrass†	4"
Broadleaf signalgrass	2"
Crabgrass (large)*	2"
Foxtails (bristly, giant†, green†, yellow†)	4"
Itchgrass	6"
Panicum (Texas, browntop)	3"
fall	4"
Ryegrass (Italian, perennial) †	6"
Sandbur (field, longspine)*	3"
Wild oats†	4"
Wild prosomillet	4"
Witchgrass	6"

† Naturally occurring resistant biotypes are known to occur. If weed escapes occur, treat with an herbicide having a mode of action other than Group 2 and/or use non-chemical methods to remove escapes, as practicable, with the goal of preventing further seed production.

\*Refer to Specific Weed Instructions Section of this label

### SPECIFIC WEED INSTRUCTIONS

**Crabgrass (large):** Requires the application of a soil applied herbicide that is effective in controlling large crabgrass, such as DuPont™ CINCH® or CINCH® ATZ, followed by the post emergence application of DuPont™ ACCENT® herbicide at 0.67 ounces/acre plus COC and ammonium nitrogen fertilizer. Adequate moisture is required after application of these soil applied herbicides to provide activation for weed control to occur. Cultivation or retreatment with ACCENT® will not control or suppress smooth crabgrass.

**Sandbur (field, longspine):** Requires the use of COC plus ammonium nitrogen fertilizer. Cultivation or re-treatment may be required.

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## SPRAY ADJUVANTS

Applications of ACCENT® must include either a crop oil concentrate or a nonionic surfactant. Consult local DuPont fact sheets, technical bulletins, and service policies prior to using other adjuvant systems. If another herbicide is tank mixed with ACCENT®, select adjuvants authorized for use with both products. Products must contain only EPA-exempt ingredients.

### Petroleum Crop Oil Concentrate (COC)

- Petroleum-based crop oil concentrates are the preferred adjuvant system in arid areas.
- Apply at 1% v/v (1 gallon per 100 gallons spray solution) or 2% under arid conditions.
- Oil adjuvants must contain at least 80% high quality, petroleum (mineral) or modified vegetable seed oil with at least 15% surfactant emulsifiers.
- For aerial applications apply 0.5% v/v (2 quarts product per 100 gallons spray solution).

### Nonionic Surfactant (NIS)

- Apply at 0.25% v/v (1 quart per 100 gallons spray solution) or 0.5% under arid conditions.
- Surfactant products must contain at least 60% nonionic surfactant with a hydrophilic/lipophilic balance (HLB) greater than 12.

### Special Adjuvant Types

- Combination adjuvant products may be used at doses that provide the required amount of NIS, COC, MSO and/or ammonium nitrogen fertilizer. Consult product literature for use rates and restrictions.
- In addition to the adjuvants specified above, other adjuvant types may be used if they provide the same functionality and have been evaluated and approved by DuPont Product Management.

## TANK MIXING

ACCENT® herbicide may be tank mixed with 2,4-D low volatile-ester, dicamba, atrazine, "Starane Ultra", and DuPont™ ALLY® XP herbicides registered for use in grain sorghum. Do not use COC (crop oil concentrate) when tank mixing with 2,4-D or dicamba. When tank mixing with 2,4-D or dicamba expect some crop response in the form of rolled leaves, leaning, brace root malformation and/or brittle stems. Do not apply 2,4-D or dicamba if this potential for injury is not acceptable. Do not tank mix with "Huskie" as significant grass antagonism, and crop injury can result. Refer to the labels of all tank mix products for information regarding use information (such as rates, timing, application information, and sprayer cleanup), product precautions and restrictions. The most restrictive language on either label must be followed. If tank mix partner instructions conflict with this label, do not tank mix the herbicide with ACCENT®.

## TANK MIX COMPATIBILITY TESTING

Perform a jar test prior to tank mixing to ensure compatibility of ACCENT® and other pesticides. Use a clear glass quart jar with lid and mix the tank mix ingredients in their relative proportions. Invert the jar containing the mixture several times and observe the mixture for approximately 1/2 hour. If the mixture balls-up, forms flakes, sludges, gels, oily film or layers, or other precipitates, it is not compatible.

## CROP ROTATION

The following rotational interval must be observed when applying ACCENT® to grain sorghum containing the DuPont™ INZEN™ herbicide tolerance trait.

<u>Crop</u>	<u>Rotational Interval in Months</u>
Sorghum (all types)	18

Please refer to the CROP ROTATION section on the Federal Section 3 label for a complete list of recropping instructions for other crops.

## GRAZING / PREHARVEST INTERVALS

Forage may be cut and livestock may be grazed once the crop has reached the mature forage stage (soft dough growth stage 7). Grain and stover may be harvested once the crop has reached the mature grain stage (physiological maturity growth stage 9).