

352-626

6-28-2004

1/12

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number DuPont / 352-626	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DuPont / DuPont™ Westar™	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) DuPont Crop Protection/Stine-Haskell Research Center 1090 Elkton Road, P.O. Box 30 Newark, DE 19714 Attn: J. H. (Jack) Cain		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Check if this is a new address

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION JUN 28 2004
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification of revised labeling for DuPont™ Westar™ herbicide, EPA Reg. No. 352-626, to comply with 40 CFR 156.64 by removing a conflicting signal word. This notification includes:

- 1) EPA form 8570-1
- 2) (3) copies of the revised labeling for DuPont™ Westar™ herbicide, EPA Reg. No. 352-626
- 3) (1) copy of the currently approved labeling for DuPont™ Westar™ herbicide, EPA Reg. No. 352-626

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name J. H. (Jack) Cain	Title Sr. Product Registration Manager	Telephone No. (Include Area Code) (302) 366-6417
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Sr. Product Registration Manager	
4. Typed Name J. H. (Jack) Cain	5. Date 6/11/04	



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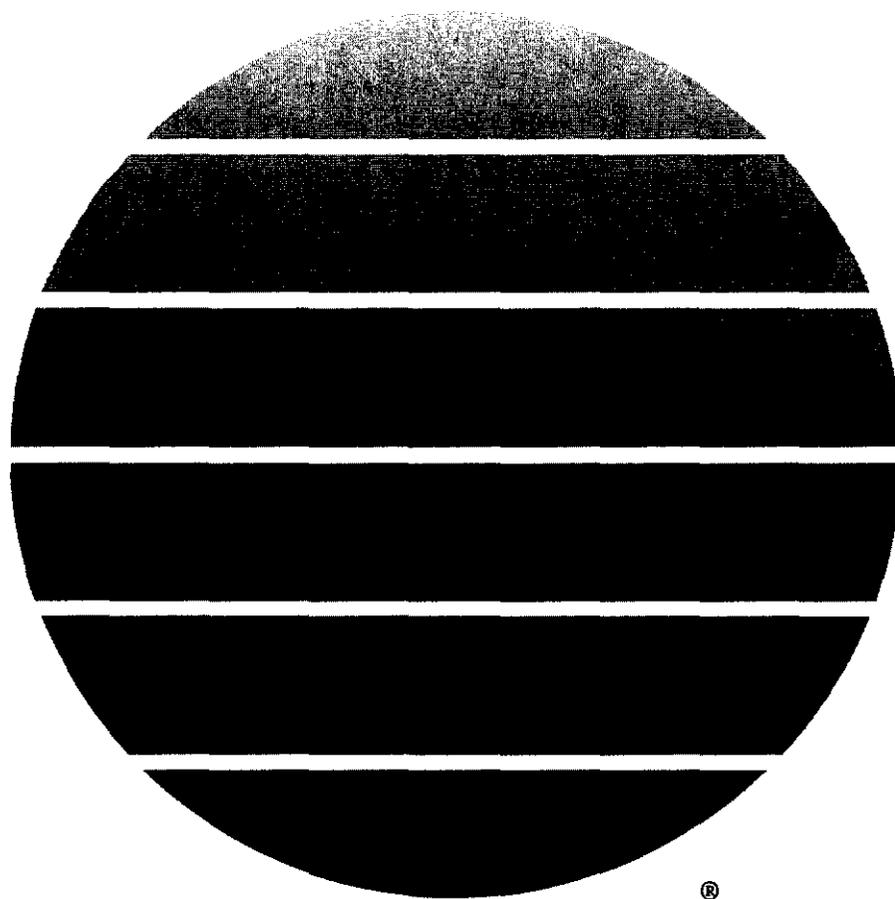
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NOTIFICATION

JUN 28 2004

DuPont™ Westar™

herbicide



®

“..... A Growing Partnership With Nature”



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DuPont™

Westar™

herbicide

Dispersible Granules

<i>Active Ingredient</i>	<i>By Weight</i>
Hexazinone [3-cyclohexyl-6-(dimethylamino) -1-methyl-1,3,5-triazine-2,4(1H,3H)-dione]	68.6%
Sulfometuron methyl {Methyl 2-[[[(4,6-dimethyl-2-pyrimidinyl)amino]- carbonyl]amino]sulfonyl]benzoate}	6.5%
Inert Ingredients	24.9%
TOTAL	100.0%

EPA Reg. No. 352-626

KEEP OUT OF REACH OF CHILDREN
DANGER PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

FIRST AID

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 eye. Call a poison control center or doctor for 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 SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-441-3637 for emergency medical treatment.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER! CAUSES EYE DAMAGE.

Corrosive, causes irreversible eye damage. Harmful if swallowed. Do not get in eyes or on clothing. Avoid contact with skin. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants.
- Shoes plus socks.
- Protective eyewear.
- Chemical resistant gloves made of any water proof material.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

USERS SHOULD: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

The active ingredient, hexazinone, in this product is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

GENERAL INFORMATION

DuPont™ WESTAR™ herbicide is a dispersible granule that is mixed in water and applied as a spray. WESTAR™ may be used for weed control in terrestrial non-crop sites and for the control of certain weeds in conifers grown for forestry in certain areas.

WESTAR™ is an effective herbicide providing both contact and residual control of many annual and perennial weeds.

WESTAR™ can be tank mixed with other herbicides registered for use in forestry and non-crop sites. Read and follow the Directions for Use for both products.

WESTAR™ is non-corrosive, non-flammable and non-volatile.

Caution should be exercised when applying WESTAR™ near desirable trees or shrubs as they can absorb WESTAR™ through roots extending into treated areas.

This product may be applied on forestry and non-crop sites that contain areas of temporary surface water caused by collection of water between planting beds, in equipment ruts, or in other depressions created by management activities. It is permissible to treat intermittently flooded low lying areas, seasonally dry flood plains and transitional areas between upland and lowland sites when no water is present. It is also permissible to treat marshes, swamps and bogs after water has receded, as in seasonally dry flood deltas.

A drift control agent may be used at the manufacturer's recommended rate in the application of WESTAR™.

ENVIRONMENTAL CONDITIONS AND BIOLOGICAL ACTIVITY

WESTAR™ is absorbed through roots and foliage. Once absorbed, WESTAR™ controls susceptible weeds by two different mechanisms. The sulfometuron methyl component inhibits the biosynthesis of the essential amino acids valine and isoleucine. The hexazinone component inhibits photosynthesis. Several factors influence the effectiveness and duration of weed control, including use rates, weed spectrum and size, degree of weed infestation, soil pH and organic matter content, precipitation, and growing conditions during and following herbicide treatment.

Moisture is required to activate WESTAR™ in the soil. Best results are obtained when the soil is moist at the time of application and 1/4 to 1/2 inch of rainfall occurs within 2 weeks after application.

For best results, apply WESTAR™ preemergence or early postemergence when weeds are less than 2 inches in height or diameter. Herbicidal activity is most effective under conditions of high temperature (above 80 °F), high humidity, and good soil moisture. Herbicidal activity may be reduced when vegetation is dormant, semi-dormant, or under stress (e.g. temperature or moisture).

Herbicidal activity will usually appear within 2 weeks after application to susceptible weeds under warm, humid conditions; while 4–6 weeks may be required when weather is cool or dry,

or when susceptible weeds are under stress. If rainfall after application is inadequate to activate WESTAR™ in the soil, weeds may recover from contact effects and continue to grow.

RESISTANCE

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.

INTEGRATED PEST MANAGEMENT

This product may be used as part of an Integrated Pest Management (IPM) program that can include biological, cultural, and genetic practices aimed at preventing economic pest damage. IPM principles and practices include field scouting or other detection methods, correct target pest identification, population monitoring, and treating when target pest populations reach locally determined action thresholds. Consult your state cooperative extension service, professional consultants or other qualified authorities to determine appropriate action treatment threshold levels for treating specific pest/crop systems in your area.

DIRECTIONS FOR USE

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

WESTAR™ should be used only in accordance with recommendations on this label, or in separately published DuPont recommendations.

DuPont will not be responsible for losses or damages resulting from the use of this product in any manner not specifically recommended by DuPont.

WESTAR™ contains sulfometuron methyl. When applied alone or in combination with other products containing sulfometuron methyl, do not apply more than 6 ounces of active ingredient per acre per year."

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DuPont™ WESTAR™ contains hexazinone. When applied alone or in combination with other products containing hexazinone: (1) For forestry use, do not apply more than 5 pounds of active ingredient per acre per year (2) For non-crop use, do not apply more than 8 pounds of active ingredient per acre per year.

Do not use on food or feed crops.

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.

The correct use rates by crop and geographical area, specified on the label, and proper mixing/loading site considerations and application procedures must be followed to minimize potential for hexazinone movement into ground water. Users are encouraged to consult with their state Department of Agriculture, Extension Service, or other pesticide lead agency for information regarding soil permeability, aquifer vulnerability, and best management practices for their area.

AGRICULTURAL USES

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 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is :

- Coveralls
- Chemical resistant gloves made of any water proof material.
- Shoes plus socks
- Protective eyewear

FORESTRY

APPLICATION INFORMATION

WESTAR™ is recommended to control or suppress many broadleaf weeds and grasses in forestry sites where Douglas fir is to be established. WESTAR™ may be applied prior to planting Douglas fir or over the top of dormant seedlings following planting.

In areas where other conifer species may be mixed in with Douglas fir, WESTAR™ may be applied if the user has prior experience with WESTAR™ on the other conifer specie(s). With no prior use experience, it is recommended that either a small area of plantings be tested for conifer safety prior to treating larger areas, or make no application of WESTAR™ in these areas.

Apply by ground or helicopter only.

Ground

Be sure the sprayer is calibrated prior to use. Select a spray volume and delivery system that will ensure thorough weed coverage and a uniform spray pattern. Avoid overlapping the spray pattern and shut off spray boom when starting, turning, slowing, or stopping to avoid injury to desired species.

Air (Helicopter Only)

Be sure the sprayer is calibrated prior to use. Select a spray volume and delivery system that will ensure thorough weed coverage and a uniform spray pattern. Avoid overlapping the spray pattern and shut off spray boom when starting, turning, slowing, or stopping to avoid injury to desired species.

APPLICATION TIMING

Apply WESTAR™ preemergence or early postemergence (shortly after emergence) to herbaceous weeds (broadleaves and grasses).

Dormant trees are less susceptible to injury. Applications where the spray comes into direct contact with conifers after dormancy break in the spring or before the final resting bud has hardened in the fall may severely injure or kill the trees.

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WEEDS CONTROLLED - USE RATE

DuPont™ WESTAR™ controls or suppresses the following weeds when applied at 1 1/2 to 2 pounds per acre. When applied at the lower rate, WESTAR™ provides short-term control of the weeds listed below; when applied at the higher rates, weed control is extended. For best conifer safety on sites with varying soil types, make the rate selection based on the soil type with the coarsest texture -- low rate for coarse textured soils and the higher rates for fine textured soils.

Asters	<i>Asteraceae spp.</i>
Brackenfern*	<i>Pteridium aquilinum</i>
Common chickweed	<i>Stellaria media</i>
Common Groundsel	<i>Senecio vulgaris</i>
Common lambsquarters	<i>Chenopodium album</i>
Common ragweed	<i>Ambrosia artemisiifolia</i>
Crabgrass	<i>Digitaria spp.</i>
Creeping bentgrass	<i>Agrostis stolonifera</i>
Downy brome	<i>Bromus tectorum</i>
Fescue	<i>Festuca spp.</i>
Fleabane	<i>Erigeron annuus</i>
Goldenrod	<i>Solidago spp.</i>
Italian ryegrass	<i>Lolium multiflorum</i>
Pennsylvania smartweed	<i>Polygonum pennsylvanicum</i>
Pigweeds	<i>Amaranthus spp.</i>
Raspberry	<i>Rubus idaeus</i>
Rattail fescue	<i>Vulpia myuros</i>
Sedges	<i>Carex spp.</i>
Smooth catsear	<i>Hypochoeris glabra</i>
Spotted catsear	<i>Hypochoeris radicata</i>
St. Johnswort**	<i>Hypericum perforatum</i>
Sunflower	<i>Helianthus annuus</i>
Wild carrot	<i>Daucus carota</i>
Yarrow	<i>Achillea spp.</i>

* Controlled by postemergent applications.

** Suppression--a visible reduction in the population density or vigor.

USE PRECAUTIONS - FORESTRY

- The stress (loss of vigor) to conifers from insects, diseases, drought, winter damage, animal damage, excessive soil moisture, planting shock, previous agricultural practices, etc., may increase conifer sensitivity and the potential for injury from applications of WESTAR™. Conifer injury may also occur when WESTAR™ is used in conifers planted in gravelly or rocky soils.
- Do not use a surfactant when making an over-the-top application. Allowing the spray to contact conifer foliage may injure or kill the trees.
- When applying WESTAR™ after transplanting conifers, wait until rainfall has settled the soil around the base and root system of the seedlings before making the treatment.

NON-AGRICULTURAL USES

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Use on noncrop sites is not within the scope of the Worker Protection Standard.

Do not enter or allow entry into treated areas until sprays have dried to perform hand tasks.

NON-CROP SITES

APPLICATION INFORMATION

WESTAR™ is recommended for weed control on non-crop land sites. These sites may include uncultivated nonagricultural areas (such as, airports, highway, railroad and utility rights-of-way, sewage disposal areas); uncultivated agricultural areas--non-crop producing (such as, farmyards, fuel storage areas, fence rows, soil bank land, barrier strips); industrial sites--outdoor (such as, lumberyards, pipeline and tank farms).

WESTAR™ is not labeled for use on recreation areas or for direct application to paved areas (surfaces).

Apply by ground equipment or helicopter only.

Ground

Be sure the sprayer is calibrated prior to use. Select a spray volume and delivery system that will ensure thorough weed coverage and a uniform spray pattern. Avoid overlapping the spray pattern and shut off spray boom when starting, turning, slowing, or stopping to avoid injury to desired species.

Air (Helicopter Only)

Be sure the sprayer is calibrated prior to use. Select a spray volume and delivery system that will ensure thorough weed coverage and a uniform spray pattern. Avoid overlapping the spray pattern and shut off spray boom when starting, turning, slowing, or stopping to avoid injury to desired species.

APPLICATION TIMING

Apply WESTAR™ preemergence or early postemergence (shortly after emergence) to herbaceous weeds (broadleaves and grasses).

WEEDS CONTROLLED - USE RATE

WESTAR™ controls the following weeds when applied at the indicated rates. When applied at the lower rate, WESTAR™ provides short-term control of the weeds listed below; when applied at the higher rates, weed control is extended. Use the lower rate on coarse textured soils and the higher rate on soils high in organic matter or on fine textured soils. For best control, use the higher rate on weeds identified (*) as hard to control in the weed list.

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2 to 3 lb/Acre

Blue vervain	<i>Verbena hastata</i>
Bouncingbet	<i>Saponaria officinalis</i>
Broadleaf signalgrass	<i>Brachiaria platyphylla</i>
Buckhorn plantain	<i>Plantago lanceolata</i>
Camphorweed	<i>Heterotheca subaxillaris</i>
Catchweed bedstraw	<i>Galium aparine</i>
Cinquefoil*	<i>Potentilla spp.</i>
Coast sandbur	<i>Cenchrus incertus</i>
Common barnyardgrass	<i>Echinochloa crusgali</i>
Common dandelion	<i>Taraxacum officinale</i>
Common ragweed	<i>Ambrosia artemisiifolia</i>
Common sorrel*	<i>Rumex acetosella</i>
Common sunflower	<i>Helianthus annuus</i>
Crowfootgrass*	<i>Dactyloctenium aegyptium</i>
Curly dock	<i>Rumex crispus</i>
Dog fennel	<i>Eupatorium capillifolium</i>
Downy brome	<i>Bromus tectorum</i>
Fleabane	<i>Erigeron annuus</i>
Florida pusley	<i>Richardia scabra</i>
Goldenrod	<i>Solidago spp.</i>
Goosegrass	<i>Eluesine indica</i>
Horseweed	<i>Conyza canadensis</i>
Little barley	<i>Hordeum pusillum</i>
Many-flowered aster	<i>Aster ericoides</i>
Prickly lettuce	<i>Lactuca serriola</i>
Red clover	<i>Trifolium pratense</i>
Red sorrel*	<i>Rumex acetosella</i>
Redroot pigweed	<i>Amaranthus retroflexus</i>
Smutgrass	<i>Sporobolus poiretii</i>
Southern sandbur	<i>Cenchrus echinatus</i>
Spainsneedles	<i>Bidens bipinnata</i>
Spiny amaranth	<i>Amaranthus spinosus</i>
Tansymustard	<i>Descurainia pinnata</i>
Virginia pepperweed	<i>Lepidium virginicum</i>
Western salsify	<i>Tragopogon dubius</i>
Wheat	<i>Triticum aestivum</i>
White clover	<i>Trifolium repens</i>
Wild barley	<i>Hordeum leporinum</i>
Wild carrot	<i>Daucus carota</i>
Wild lettuce	<i>Lactuca spp.</i>
Wild oats	<i>Avena fatua</i>
Witchgrass	<i>Panicum capillare</i>
Woolly croton	<i>Codiaeum capitatus</i>
Yarrow	<i>Achillea spp.</i>

3 to 4 lb/Acre

Bahiagrass	<i>Paspalum notatum</i>
Blackberry	<i>Rubus allegeniensis</i>
Common lambsquarters	<i>Chenopodium album</i>
Dallisgrass*	<i>Paspalum dilatatum</i>
Dewberry	<i>Rubus trivialis</i>
Feather fingergrass	<i>Chloris vigata</i>
Giant foxtail	<i>Setaria faberi</i>
Green foxtail	<i>Setaria viridis</i>
Guineagrass	<i>Panicum maximum</i>
Japanese honeysuckle	<i>Lonicera japonica</i>
Johnsongrass*	<i>Sorghum halepense</i>
Large crabgrass	<i>Digitaria sanguinalis</i>
Natalgrass	<i>Rhynchelytrum repens</i>
Palmer amaranth	<i>Amaranthus palmeri</i>
Pitted morningglory	<i>Ipomea lacunosa</i>
Smooth crabgrass	<i>Digitaria ischaemum</i>
Swollen fingergrass	<i>Chloris barbata</i>
Vaseygrass*	<i>Paspalum urvillei</i>
White sweetclover	<i>Melilotus alba</i>
Wild grape	<i>Vitis spp.</i>
Yellow nutsedge	<i>Cyperus esculentus</i>

* Indicates difficult to control. Use higher end of the rate range specified.

IMPORTANT USE PRECAUTIONS - NON-CROP

- Do not tank mix DuPont™ WESTAR™ with DuPont™ HYVAR® XL.

IMPORTANT USE INSTRUCTIONS - FORESTRY AND NON-CROP

SPRAY EQUIPMENT

Following a WESTAR™ application, the mixing and application equipment must only be used for forestry and non-crop applications, unless otherwise directed by supplemental labeling. This is extremely important as low rates of WESTAR™ can kill or severely injure most crops.

SPRAY PREPARATION

Mixing in water: Fill spray tank 1/2 full with water. Start agitation system, add WESTAR™ and continue adding water. Add separately each additional component of any tank mix while adding water. Continue agitation throughout procedure.

Mixing with other herbicides: Determine the tank mixture partner(s) compatibility with WESTAR™ as follows:

1. Put 1 pint water in a quart jar.
2. Mix 2 teaspoons of WESTAR™ with 2 tablespoons of water; mix thoroughly and add to quart jar.
3. For other herbicides used in the mixture, premix 2 teaspoons of dry materials or 1 teaspoonful of liquids with 2 tablespoons of water; add to the WESTAR™ mixture prepared in Step 2.
4. Close jar and shake well.
5. Watch mixture for several seconds; check again in 30 minutes.
6. If mixture does not separate, foam excessively, gel or become lumpy, it may be used.

MIXING INSTRUCTIONS

1. Fill spray tank 1/2 full of water.
2. With the agitator running, add the proper amount of WESTAR™. If using a companion product add the recommended amount.
3. Add the remaining water.
4. Agitate the spray tank thoroughly.

WESTAR™ spray preparations are stable if they are pH neutral and stored at or below 100 degrees F.

SPRAYER CLEAN UP

Thoroughly clean all mixing and spray equipment following applications of WESTAR™ as follows:

1. Drain tank; thoroughly rinse spray tanks, boom, and hoses with clean water.
2. Fill the tank with clean water and 1 gal of household ammonia (contains 3% active) for every 100 gal of water. Flush the hoses, boom, and nozzles with the cleaning solution. Then add more water to completely fill the tank.

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Circulate the cleaning solution through the tank and hoses for at least 15 min. Flush the hoses, boom, and nozzles again with the cleaning solution, and then drain the tank.

Equivalent amounts of an alternate-strength ammonia solution or a commercial cleaner can be used in the cleanout procedure. If a commercial cleaner is used, carefully read and follow the individual cleaner instructions.

3. Remove the nozzles and screens and clean separately in a bucket containing cleaning agent and water.
4. Repeat step 2.
5. Rinse the tank, boom, and hoses with clean water.
6. Dispose of the rinsate on a labeled site or at an approved waste disposal facility. If a commercial cleaner is used follow the directions for rinsate disposal on the label.

Notes:

1. **Attention:** Do not use chlorine bleach with ammonia as dangerous gases will form. Do not clean equipment in an enclosed area.
2. Steam-cleaning aerial spray tanks is recommended before performing the above cleanup procedure to facilitate the removal of any caked deposits.
3. When DuPont™ WESTAR™ is tank mixed with other pesticides, all required cleanout procedures should be examined and the most rigorous procedure should be followed.

SPRAY DRIFT MANAGEMENT

The interaction of many equipment and weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making application decisions.

AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.

IMPORTANCE OF DROPLET SIZE

The most effective way to reduce drift potential is to apply large droplets (>150 - 200 microns). The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. The presence of sensitive species nearby, the environmental conditions, and pest pressure may affect how an applicator balances drift control and coverage. **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** sections of this label.

Controlling Droplet Size - General Techniques

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Use the lower spray pressures recommended for the nozzle. Higher pressure reduces droplet size and does not improve canopy penetration. **WHEN HIGHER FLOW**

RATES ARE NEEDED, USE A HIGHER-CAPACITY NOZZLE INSTEAD OF INCREASING PRESSURE.

- **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.

Controlling Droplet Size - Aircraft

- **Number of Nozzles** - Use the minimum number of nozzles with the highest flow rate that provide uniform coverage.
- **Nozzle Orientation** - Orienting nozzles so that the spray is emitted backwards, parallel to the airstream will produce larger droplets than other orientations.
- **Nozzle Type** - Solid stream nozzles (such as disc and core with swirl plate removed) oriented straight back produce larger droplets than other nozzle types.

BOOM LENGTH AND HEIGHT

- **Boom Length (helicopter)** - For helicopters use a boom length and position that prevents droplets from entering the rotor vortices.
- **Boom Height (helicopter)** - Application more than 10 ft above the canopy increases the potential for spray drift.
- **Boom Height (ground)** Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. The boom should remain level with the crop and have minimal bounce.

WIND

Drift potential increases at wind speeds of less than 3 mph (due to variable direction and inversion potential) or more than 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given wind speed. **AVOID GUSTY OR WINDLESS CONDITIONS.**

Note: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they effect spray drift.

TEMPERATURE AND HUMIDITY

When making applications in hot and dry conditions, set up equipment to produce larger droplets to reduce effects of evaporation.

SURFACE TEMPERATURE INVERSIONS

Drift potential is high during a surface temperature inversion. Surface inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Surface inversions are characterized by increasing temperature 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 a surface inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

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SHIELDED SPRAYERS

Shielding the boom or individual nozzles can reduce the effects of wind. However, it is the responsibility of the applicator to verify that the shields are preventing drift and not interfering with uniform deposition of the product.

ADDITIONAL USE PRECAUTIONS - FORESTRY AND NON-CROP

- Do not apply this product through any type of irrigation system.
- Do not use in nurseries, seed beds or ornamental plantings.
- Poor weed control may occur when applications are made to saturated soil and rain occurs within 24 hours.
- Injury to or loss of desirable trees and other plants may result if equipment is drained or flushed on or near desirable trees or other plants, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots.
- Applications made where runoff water flows onto agricultural land may injure crops. Applications made during periods of intense rainfall, to soils saturated with water, surfaces paved with material such as asphalt or concrete, or soils through which rainfall will not readily penetrate may result in runoff and movement. Do not treat frozen soil. Treated soil should be left undisturbed to reduce the potential for movement by soil erosion due to wind or water.
- Treatment of powdery, dry soil or light, sandy soil when there is little likelihood of rainfall soon after treatment may result in off target movement and possible damage to susceptible crops when soil particles are moved by wind or water. Injury to crops may result if treated soil is washed, blown, or moved onto land used to produce crops. Exposure to DuPont™ WESTAR™ may injure or kill most crops. Injury may be more severe when the crops are irrigated. Do not apply WESTAR™ when these conditions are identified and powdery, dry soil or light or sandy soil are known to be prevalent in the area to be treated.
- Do not use WESTAR™ on lawns, driveways, tennis courts, or residential or recreational areas.
- If the non-crop or forestry site treated with WESTAR™ is to be converted to an agricultural (food, feed or fiber) or horticultural crop, do not plant the treated site(s) for at least one year after the WESTAR™ application. A field bioassay must then be completed before planting to crop. To conduct a field bioassay, grow to maturity test strips of the crop you plan to grow the following year. The test strips should cross the entire field including knolls and low areas. Crop response to the bioassay will indicate whether or not to plant the crop grown in the test strips. In the case of suspected off-site movement of WESTAR™ to crop-land, in addition to conducting the above described bioassay, soil samples should be taken and quantitatively analyzed by an analytical laboratory for WESTAR™ or any other herbicide which could have an adverse effect on the crop.

- Do not use this product in the following counties of Colorado: Saguache, Rio Grande, Alamosa, Costilla and Conejos.
- Keep from contact with fertilizers, insecticides, fungicides and seeds.
- Do not apply in or on irrigation ditches or canals including their outer banks.
- If tank mixing this product with other pesticides, follow the directions for determining compatibility with tank mix partners prior to tank mixing them. Follow instructions for determining compatibility given under **Mixing with other herbicides** in the **Spray Preparation** section of this label.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store product in original container only. Store in a cool, dry place.

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

Container Disposal: For Plastic Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. **For Fiber Sacks:** Completely empty fiber sack by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing or application equipment. Then dispose of sack in a sanitary landfill or by incineration if allowed by State and local authorities. **For Paper and Plastic Bags:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

NOTICE TO BUYER: Purchase of this material does not confer any rights under patents of countries outside of the United States.

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LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read This Limitation of Warranty and Liability Before Buying or Using This Product. If the Terms Are Not Acceptable, Return the Product at Once, Unopened, and the Purchase Price Will Be Refunded.

It is impossible to eliminate all risks associated with the use of this product. Such risks arise from weather conditions, soil factors, off target movement, unconventional farming techniques, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont. These risks can cause: ineffectiveness of the product; crop injury, or; injury to non-target crops or plants.

DuPont does not agree to be an insurer of these risks. **WHEN YOU BUY OR USE THIS PRODUCT, YOU AGREE TO ACCEPT THESE RISKS.**

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BUYER'S OR USER'S BARGAINED-FOR EXPECTATION IS CROP PROTECTION. THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT, OR AT THE ELECTION OF DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

DuPont or its Ag Retailer must have prompt notice of any claim so that an immediate inspection of buyer's or user's growing crops can be made. Buyer and all users shall promptly notify DuPont or a DuPont Ag Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise or be barred from any remedy.

This Limitation of Warranty and Liability may not be amended by any oral or written agreement.

For product information call: 1-888-6-DUPONT

Internet address: <http://cropprotection.dupont.com/>

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DuPont Crop Protection
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P.O. Box 30
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Sent Via Federal Express

June 11, 2004

Ms. Joanne Miller, PM-23
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
Arlington, VA 22202

Subject: NOTIFICATION of Revised Labeling for DuPont™ Westar™ (EPA Registration No. 352-626) per PR Notice 98-10

Dear Ms. Miller:

Enclosed, please find form 8570-1 and (3) copies of the revised labeling (H-64700) for DuPont™ Westar® (EPA Reg. No. 352-626) along with (1) copy of the currently approved labeling. The label has been revised to comply with 40 CFR 156.64 by removing a conflicting signal word.

Specifically, on page 6 of the currently approved label in the first column under **Notes**, the word 'Caution' appears. While the word 'Caution' was not used in the context of a signal word, it does conflict with the signal word 'Danger' on page one. To rectify this conflict we have changed the word 'Caution' on page 6 to 'Attention' in the revised labeling.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Please contact me via phone (302) 366-6417 or e-mail at jack.cain@usa.dupont.com, if you have any questions. Best regards.

Sincerely,

J. H. (Jack) Cain
Sr. Product Registration Manager

Attachments
JHC/srw

