



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

AND

OFFICE OF
PREVENTION, PESTICIDES
TOXIC SUBSTANCES

APR 13 2006

Ms. Anna Stoops
E.I. DuPont de Nemours & Company
DuPont Crop Protection
Stine-Haskell Research Center
P. O. Box 30
Newark, DE 19714-0030

Dear Ms. Stoops:

Subject: DuPont Layby Pro Herbicide (Expand Cotton Use)
EPA Registration No. 352-660
Submissions dated March 28, 2005 and April 3, 2006

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

--Add the statements "Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. v. EPA, C01-0132C, (W. D. WA.). For further information, please refer to www.epa.gov/espp/wtc/.--

Please submit one copy of your final printed labeling incorporating the above comment before you release the product for shipment. Amended labeling supercedes all previously accepted ones. A stamped copy of labeling is enclosed for your records.

Sincerely,

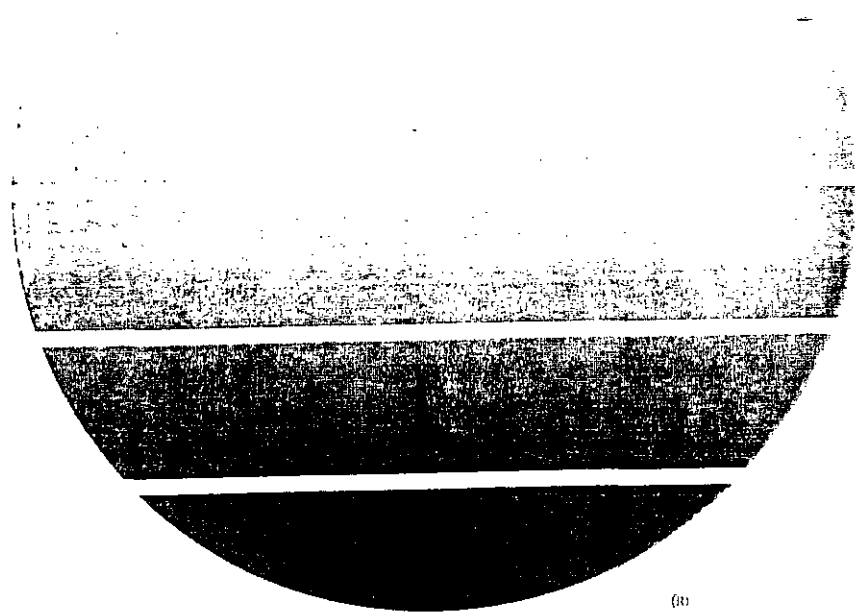
James A. Tompkins, Jr.
James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505C)



DuPont™ Layby™ Pro

herbicide

DRAFT LABEL



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

ACCEPTED
with COMMENTS
In EPA Letter Dated:
APR 13 2006

3/8



Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
352-660

DuPont™ Layby™ Pro

herbicide

For use in Cotton

This product contains 2 lbs. of Linuron and 2 lbs. of
Diuron per gallon.

Active Ingredients	By Weight
Linuron	
3-(3,4-dichlorophenyl)-1-methoxy -1-methylurea	20.3%
Diuron	
3-[3,4-dichlorophenyl]-1,1-dimethylurea	20.0%
Inert Ingredients	59.7%
TOTAL	100.0%

EPA Reg. No. 352-660

NET CONTENTS: _____

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.)

FIRST AID

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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.

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 eyes 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 INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

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 information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution! Harmful if swallowed, inhaled, or absorbed through the skin. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause an allergic reaction in some individuals.

PERSONAL PROTECTIVE EQUIPMENT

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

Pilots and flaggers must wear:

- Long-sleeved shirt and long pants.
- Shoes plus socks.

Mixers and loaders must wear:

- Coveralls over long-sleeved shirt and long pants.
- Chemical resistant footwear.
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinylchloride.
- A NIOSH approved dust/mist filtering respirator with any N, R, P, or HE filter or with approval number prefix TC-21C.
- Chemical resistant apron.

Groundboom applicators must wear:

- Long-sleeved shirt and long pants.
- Shoes plus socks.
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinylchloride.
- Chemical resistant apron when cleaning equipment or spills.

Other applicators and handlers must wear:

- Long sleeved shirt and long pants.
- Shoes plus socks.
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinylchloride.
- A NIOSH approved dust/mist filtering respirator with any N, R, P, or HE filter or with approval number prefix TC-21C.
- Chemical resistant apron when cleaning equipment or spills.

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.

Engineering controls statement: When handlers use closed systems, enclosed cabs or aircraft in a manner that meets the requirements listed in Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(6)]

Flaggers supporting aerial applications must use an enclosed cab that meets the definition in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(5)] for dermal protection.

**USER SAFETY
RECOMMENDATIONS**

USERS SHOULD: wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. For terrestrial uses do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply where weather conditions favor drift from areas treated. Do not contaminate water when cleaning of equipment or disposing of equipment washwater and rinsate.

Ground Water Advisory: Linuron 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.

Surface Water Advisory: Linuron may contaminate surface water through spray drift or under certain conditions from surface runoff into adjacent surface water bodies (ponds, lakes, streams, etc.). For several weeks post-application, linuron has a high potential to runoff when applied to fields with any of the following conditions: sloping land draining into nearby surface waters; very poorly to somewhat poorly drained soils; areas with extremely shallow ground water; frequently flooded areas; fields with surface water canals or ditches; and highly erodible land cultivated with poor management practices.

GENERAL INFORMATION

DuPont™ LAYBY™ PRO is a flowable herbicide to be mixed in water and applied as a postemergence directed spray for selective control of weeds in cotton. It is non-corrosive to equipment, non-flammable and non-volatile.

LAYBY™ PRO provides preemergence and postemergence control of key broadleaf weeds and grasses in cotton. Optimum results from postemergence applications are obtained when LAYBY™ PRO is applied to small weeds (<2") that are actively growing. The addition of an adjuvant is recommended for improved postemergence control of broadleaf weeds and grasses with LAYBY™ PRO.

Moisture is required to activate the chemical in the soil to provide residual weed control; best results occur if rainfall (or irrigation) occurs within 2 weeks of application.

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.

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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

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 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 intervals. 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 over short-sleeved shirt and short pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Chemical-resistant headgear for overhead exposure

APPLICATION RESTRICTIONS

Aerial application is prohibited.

Do not use on sand or loamy sand soils.

Do not use on soils of less than 1% organic matter.

Do not use on Pima varieties of cotton.

Do not apply within 76 days of harvest.

Do not allow livestock to graze treated cotton.

WEEDS CONTROLLED

DuPont™ LAYBY™ PRO controls actively growing emerged seedlings of these weeds:

Broadleaf	Grasses
Annual morningglory	Barnyardgrass
Carpetweed	(watergrass)
Cocklebur	Broadleaf (signalgrass)
Dayflower, common	Canarygrass
Dog Fennel	Crabgrass
Fiddleneck (amsinckia)	Fall panicum
Florida beggarweed	Foxtail (including giant)
Florida purslane	Goosegrass
(Florida pusley)	Rattail fescue
Groundsel	Ryegrass, annual
Knawel	Texas panicum
Lambsquarters	
Mustard	
Nettleleaf goosefoot	
Pigweed	
Prickly sida (tearweed)	
Purslane	
Ragweed (common)	
Sesbania	
Sicklepod	
Smartweed	
Smellmelon	
Velvetleaf (buttonweed)	
Wild buckwheat	

APPLICATION DIRECTIONS

LAYBY™ PRO should be used only in accordance with recommendations on this label. Injury to or loss of desirable trees or other plants may result from failure to observe the following:

GROUND APPLICATION: Use a fixed-boom power sprayer calibrated to a constant speed and rate of delivery. Openings in screens should be equal to or larger than 50 mesh. Continuous agitation in the spray tank is required to keep the material in suspension. If a by-pass or return line is used it should terminate at the bottom of the tank to minimize foaming. Avoid overlapping of spray swaths and shut off spray booms while starting, turning, slowing or stopping or injury to the crop may result.

Use sufficient volume of water for thorough coverage of weed foliage. Always apply in a manner and under conditions favorable to avoid spray drift.

CLEANING: Equipment should be cleaned of all traces of LAYBY™ PRO immediately after use. Nozzle tips and screens should be removed and cleaned separately. Flush tank, pump, hoses and boom with several changes of water.

Equipment should not be flushed or drained of LAYBY™ PRO applied 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.

SPRAY PREPARATION: Mix the proper amount of LAYBY™ PRO in a volume of water adequate to provide thorough coverage of weeds, usually 10-30 gallons per acre. All rates of LAYBY™ PRO (and tank mixtures) are expressed as broadcast rates; for band treatment use proportionately less. For example, use 1/3 of the broadcast rate when treating a 14-inch band where row spacing is 42 inches.

SOIL LIMITATIONS: Unless otherwise directed, do not use on sand, loamy sand, gravelly soils or exposed subsoils nor on soils containing less than 1% organic matter as crop injury may result.

RECOMMENDED USES

COTTON - U.S. except California

Cotton 8 to 15 Inches Tall: Apply LAYBY™ PRO as a directed or hooded/shielded spray application at 1.0-1.5 pt/A to cotton at least 8" tall. Use the lower rate on smaller cotton and for control of susceptible weeds less than 1" tall. Use the higher rate on larger cotton and for control of susceptible weeds up to 2" tall.

Cotton 15 Inches or Taller: Apply LAYBY™ PRO as a directed or hooded/shielded sprayer application to cotton a minimum of 15" tall for control of susceptible emerged weeds up to 4" tall and residual control of germinating weeds following application. Apply 1.6 pt/A on coarse soils, 2 pts/A on medium soils; 2.4 pt/A on fine soils.

Application: Apply in sufficient volume, normally 10-30 gallons per acre, and in such a manner as to provide thorough coverage of weeds without contacting cotton foliage. The spray solution should be applied uniformly across the soil surface and to the base of cotton mainstems. Do not allow spray solution to contact cotton foliage as the

crop will be injured. Use flat fan or similar spray tips which provide thorough coverage without producing excessive fine particles. Spray pressure should not exceed 40 psi, and on smaller cotton and where practical, should be limited to a maximum of 30 psi.

Adjuvants: For control of emerged weeds, addition of 2.0 qt of an approved agricultural non-ionic surfactant or 1.0 gal crop oil concentrate per 100 gal finished spray solution is recommended. Use of crop oil concentrate is not recommended for cotton less than 12" in height.

Tankmixes: DuPont™ LAYBY™ PRO may be tank mixed with other herbicides labeled for postemergence directed, hooded/shielded sprayer and/or layby applications in cotton, including MSMA, paraquat, "Aim" EC, and glyphosate ("Roundup" Ready varieties only). However, precautions and restrictions associated with each product used in tank mixtures must be followed, and the most restrictive label must be followed. MSMA is recommended for fields with heavy grass or morningglory populations. Do not add surfactant or crop oil concentrate to tank mixtures containing glyphosate products which do not require the addition of a surfactant. When tank mixing LAYBY™ PRO with glyphosate, use at least 10 gallons per acre spray volume and add a compatibility agent.

PRODUCT USE LIMITATIONS

The maximum cumulative rate of diuron, from all sources, that may be applied to cotton in a single growing season is 0.8 lb ai/A on coarse soils, 1.5 lb ai/A on medium soils, and 2.2 lb ai/A on fine soils. The maximum cumulative rate of linuron, from all sources, that may be applied to cotton in a single growing season is 1.5 lb ai/A. Minimum re-treatment interval is 21 days.

CROP ROTATION

Type of Application	Subsequent Crops that may follow treated cotton
Band*	Any crop 4 months after last application, except for cereals, where only barley, oats, rye and wheat may be planted
Broadcast	Cotton, corn, grain sorghums (does not include sorgos, forage sorghums, or grass sorghum) the next spring. Do not replant treated areas to any other crop within 1 year after last application as injury to subsequent crops may result.

*Note: if any other applications of diuron are made in the same year, use the Broadcast rotation restrictions.

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.

BOOM HEIGHT

Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. For ground equipment, 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 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 affect 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.

TEMPERATURE INVERSIONS

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

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.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product in original container only

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

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Container Refilling and Disposal (For Containers up to 250 gal): This is a refillable container. If the container is to be refilled, do not rinse with any material or introduce any pesticide other than DuPont™ LAYBY™ PRO. Reseal and return the container to any authorized DuPont refilling facility. If the container is not to be refilled, triple rinse (or equivalent) and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or by open burning, if allowed by state and local authorities. If burned, keep out of smoke.

For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire or other emergency, call 1-800-441-3637 day or night.

Container Disposal for Bulk Containers: When this container is empty, replace the cap and seal all openings that have been opened during use, and return the container to the point of purchase or to a designated location named at time of purchase of this product. The container must only be refilled with this pesticide product. **DO NOT REUSE THE CONTAINER FOR ANY OTHER PURPOSE.** Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transporting. Do not transport if this container is damaged or leaking. If the container is damaged, leaking or obsolete, contact DuPont at 1-800-441-3637. If not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling. Disposal of this container must be in compliance with state and local regulations.

For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire or other emergency, call 1-800-441-3637 day or night.

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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"Am" is a registered trademark of FMC Corporation

"Roundup" is a registered trademark of Monsanto Technology LLC

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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. TO THE FULLEST EXTENT PERMITTED BY LAW, 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.

TO THE FULLEST EXTENT PERMITTED BY LAW, 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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