

352-785

03/07/2012

1/13



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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Rebecca Ashley
E.I. du Pont de Nemours and Company
1007 Market Street
Wilmington, DE 19898

MAR - 7 2012

Subject: Label Amendment (Revise Restrictions, Precautions, and Spot Treatment)
DuPont DPX-KJM44 80XP Herbicide
EPA Reg. No. 352-785
Application Dated December 13, 2011

Dear Ms. Ashley:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable, provided you make the following changes:

1. It is suggested that the resistance-management grouping symbols be placed on the front panel of the label as described in PR Notice 2001-5.
2. On page 1, correct the typo in "Nonrefillable Container".
3. On page 3, correct the typo in the restriction "Do not apply more than 6 ounces of product (0.28 **pound ae**) per acre per year."
4. Switch the sections so that "IMPORTANT RESTRICTIONS" is listed before "IMPORTANT PRECAUTIONS".

A stamped copy of your label is enclosed for your records. This label supersedes all previously accepted labels. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after eighteen (18) months from the date of this letter must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA §6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have any questions, please contact Mindy Ondish at (703)605-0723 or at ondish.mindy@epa.gov.

Sincerely,

Kable Bo Davis
Product Manager 25
Herbicide Branch
Registration Division (7505P)



DuPont™ DPX-KJM44
80XP
herbicide

DRAFT LABEL



DuPont™ DPX-KJM44 80XP

herbicide

Dry Flowable

For Non-Crop Use

Active Ingredient By Weight

Aminocyclopyrachlor methyl Methyl ester of 6-amino-5-chloro-2-cyclopropyl-4- pyrimidinecarboxylate*	80%
<u>Other Ingredients</u>	<u>20%</u>
TOTAL	100%

*Acid Equivalent: 6-Amino-5-chloro-2-cyclopropyl-4-pyrimidinecarboxylic acid - 75%

EPA Reg. No. 352-785 EPA Est. No. _____

Nonrefillable Containe

Net: _____

OR

Refillable Container

Net: _____

E. I. duPont de Nemours and Company
1007 Market Street
Wilmington, DE 19898

ACCEPTED
with COMMENTS
in EPA Letter Dated
MAR - 7 2012

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

352 - 785

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.)

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Causes moderate eye irritation. Avoid contact with eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers and loaders must wear:

Long-sleeved shirt and long pants.

Shoes plus socks.

Applicators: After the product has been diluted in accordance with label directions for use, shirt, pants, socks, and shoes are sufficient Personal Protective Equipment (PPE).

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

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

USER SAFETY RECOMMENDATIONS

USERS SHOULD: Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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.

Have the product container 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.

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 or rinsate.

Surface Water Advisory

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

Ground Water Advisory

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

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

DuPont™ DPX-KJM44 80XP must be used only in accordance with directions on this label or in separately published DuPont directions.

DuPont will not be responsible for losses or damages resulting from the use of this product in any manner not specifically directed by DuPont. User assumes all risks associated with such non-directed use.

PRODUCT INFORMATION

DPX-KJM44 80XP herbicide is a dispersible granule that is mixed in water and applied as a spray. DPX-KJM44 80XP herbicide may be applied by aerial or ground equipment for control of broadleaf weeds and woody species, including many terrestrial and riparian invasive and noxious weeds. DPX-KJM44 80XP is registered for general weed and brush control on private, public and military lands as follows: uncultivated non-agricultural areas (such as airports, highway, railroad and utility rights-of-way, sewage disposal areas, etc.); uncultivated agricultural areas - non-crop producing (such as farmyards, fuel storage areas, fence rows, non-irrigation ditchbanks, barrier strips, etc.); industrial sites - outdoor (such as lumberyards, pipeline and tank farms, etc.) and natural areas (such as wildlife management areas, wildlife openings, wildlife habitats). DPX-KJM44 80XP may be used for the release or restoration of native perennial grasses and in established, industrial turf grasses.

This product may be applied to terrestrial non-crop sites and unimproved turf sites that contain areas of temporary surface water caused by collection of water, in equipment ruts, or in other depressions created by management activities. It is permissible to treat intermittently flooded low lying sites, 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 well as seasonally dry flood deltas. DPX-KJM44 80XP may be applied up to the waters edge. Do not apply directly to water.

DPX-KJM44 80XP provides preemergence and/or postemergence control of the broadleaf weeds, vines and brush species listed in the weeds controlled section of the label. For perennial species on the label, a postemergence application should be used. For best postemergence performance, an MSO type adjuvant should be included to the spray solution. Excessive wetting of the target plant is not necessary but good spray coverage of the target plant is needed for best results.

DPX-KJM44 80XP is non-corrosive to spray equipment.

Do not apply more than 6 ounces of product per acre per year.

BIOLOGICAL ACTIVITY

DPX-KJM44 80XP is quickly taken up by the leaves, stems and roots of plants. The effects of DPX-KJM44 80XP may be seen on plants from within a few hours to a few days. The most noticeable symptom is a bending and twisting of stems and leaves. Other advanced symptoms include severe necrosis, stem thickening, growth stunting, leaf crinkling, calloused stems and leaf veins, leaf-cupping, and enlarged roots. Death of treated broadleaf plants may require several more weeks and up to several months for some woody plant species.

DPX-KJM44 80XP is rain-fast at 1 hour after application.

IMPORTANT PRECAUTIONS

- Certain species may, in particular, be sensitive to low levels of DPX-KJM44 80XP including but not limited to, conifers (such as Douglas fir, Norway spruce, ponderosa pine and white pine), deciduous trees (such as aspen, Chinese tallow, cottonwood, honey locust, magnolia, poplar species, redbud, silver maple, and willow species), and ornamental shrubs (such as arborvitae, burning bush, crape myrtle, forsythia, hydrangea, ice plant, magnolia, purple plum and yew).
- Injury or loss of desirable trees or vegetation may result if DPX-KJM44 80XP is applied on or near desirable trees or vegetation, on areas where their roots extend, or in locations where the treated soil may be washed or moved into contact with their roots. Consider site-specific characteristics and conditions that could contribute to unintended root zone exposure to desirable trees or vegetation. Root zone areas of desirable trees or vegetation are affected by local conditions and can extend beyond the tree canopy. If further information is needed regarding root zone area, consult appropriate

state extension service, professional consultant or other qualified authority.

- Injury to or loss of desirable trees or vegetation may result if equipment is drained or flushed on or near these trees or vegetation, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots.
- In non-crop areas adjacent to desirable vegetation, avoid overlapping spray applications and shut off spray to the spray boom while starting, turning, slowing or stopping to avoid injury to desirable vegetation.
- Applications made where runoff water flows onto agricultural land may injure or kill crops, such as but not limited to sugar beets, potatoes, tomatoes, tobacco, soybeans, field beans, alfalfa, grapes, peaches, almonds, and vegetables.
- Applications should be made only when there is little or no hazard from spray drift. Very small quantities of spray, which may not be visible, may seriously injure susceptible plants.
- Exposure to DuPont™ DPX-KJM44 80XP may injure or kill most crops and may injure or kill desirable vegetation. Injury may be more severe when the crops or desirable vegetation are irrigated.
- Caution is advised when using this product in areas where loss of desirable conifer or deciduous trees and/or shrubs as well as other broadleaf plants, including but not limited to, legumes and wild flowers, cannot be tolerated. Without prior experience, it is necessary that small areas containing these plants be tested for tolerance to DPX-KJM44 80XP and its soil residues before any large scale spraying occurs.
- Low rates of DPX-KJM44 80XP can kill or severely injure most crops. Following a DPX-KJM44 80XP application, the use of spray equipment to apply other pesticides to crops on which DPX-KJM44 80XP is not registered may result in their damage. The most effective way to reduce this crop damage potential is to use dedicated mixing and application equipment.
- Leave treated soil undisturbed to reduce the potential for DPX-KJM44 80XP movement by soil erosion due to wind or water.
- In the case of suspected off-site movement of DPX-KJM44 80XP to cropland, soil samples should be quantitatively analyzed for DPX-KJM44 80XP or any other herbicide which could be having an adverse effect on the crop, in addition to conducting the field bioassay.
- DPX-KJM44 80XP may suppress or severely injure certain established grasses, such as some brome grass and wheatgrass species, especially when the grass plants are stressed by adverse environmental conditions. Areas that contain these grass plants should recover as environmental conditions for good grass growth occur.

IMPORTANT RESTRICTIONS

- Do not apply this product in areas where the roots of desirable trees and/or shrubs may extend unless injury or loss can be tolerated. Root zone areas of desirable trees or vegetation are affected by local conditions and can extend well beyond the tree canopy.
- Do not apply this product if site-specific characteristics and conditions exist that could contribute to movement and unintended root zone exposure to desirable trees or vegetation unless injury or loss can be tolerated.
- Do not make applications when circumstances favor movement from treatment site.
- During periods of intense rainfall, applications made to roadsides or other non-crop areas, to soils saturated with water, or soils through which rainfall will not readily penetrate may result in runoff and movement of DPX-KJM44 80XP. Do not apply DPX-KJM44 80XP when these conditions exist.
- Do not apply or otherwise permit this product or sprays containing this product to come into contact with any non-target crop or desirable vegetation.
- Do not apply in or on dry or water containing irrigation ditches or canals including their outer banks.
- Do not apply through any type of irrigation system.
- Do not contaminate water intended for irrigation. To avoid injury to crops or other desirable vegetation, do not treat or allow spray drift or run-off to fall onto banks or bottoms of irrigation ditches, either dry or containing water, or other channels that carry water that may be used for irrigation purposes.
- Treatment of powdery, dry soil and light, sandy soils when there is little likelihood of rainfall soon after treatment may result in off target movement and possible damage to susceptible crops and desirable vegetation when soil particles are moved by wind or water. Injury to crops or desirable vegetation may result if treated soil is washed, blown or moved onto land used to produce crops or land containing desirable vegetation. Do not apply DPX-KJM44 80XP when these conditions are identified and powdery, dry soil or light or sandy soils are known to be prevalent in the area to be treated.
- Do not apply when the soil is frozen or covered with snow.
- Do not use on lawns, walks, driveways, tennis courts, or similar areas.
- Do not apply more than 6 ounces of product (0.28 pounds ai) per acre per year.
- Do not graze or feed forage, hay or straw from treated areas to livestock.
- Do not use plant material treated with this product for mulch or compost.
- If non-crop sites treated with DPX-KJM44 80XP are to be converted to a food, feed, or fiber agricultural crop, or to a horticultural crop, do not plant the treated sites for at

least one year after the DuPont™ DPX-KJM44 80XP application. A field bioassay must then be completed before planting the desired crop.

FIELD BIOASSAY

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 field bioassay will indicate whether or not to plant the crops grown in the test strips. If no crop injury (such as, poor germination, stunting, or chlorosis, malformation, or necrosis of leaves) or yield loss is evident from the crops grown in the test strips, the intended rotational crop may be planted. If herbicide symptoms or yield loss is observed do not plant the crop.

TANK MIXTURES

DPX-KJM44 80XP herbicide may be tank mixed with other herbicides which are registered for the same use sites, methods of application and timings as specified on this product label. Refer to the tank mix product label for any additional instructions or use restrictions. In addition, a spray adjuvant may be mixed with DPX-KJM44 80XP when making postemergence applications. Refer to the adjuvant label for additional instructions or use restrictions.

ADJUVANTS

Methylated Seed Oils and Vegetable Oils: A methylated seed oil (MSO) or vegetable oil based adjuvant may provide increased leaf absorption of DPX-KJM44 80XP. Include the MSO or vegetable oil adjuvant at 1% v/v (1 gallon per 100 gallons of spray solution).

Non-ionic Surfactants: Use a non-ionic surfactant at a minimum rate of 0.25% v/v (1 quart surfactant per 100 gallons of spray solution). Surfactant products must contain at least 70% non-ionic surfactant with a hydrophilic/lipophilic balance (HLB) of 12 to 17.

Invert Emulsions: DPX-KJM44 80XP may be applied as an invert emulsion. The spray solution results in an invert (water-in-oil) spray emulsion designed to minimize spray drift and spray run-off, resulting in more herbicide deposited on the target foliage. The spray emulsion may be formed in a single tank (batch mixing) or injected (in-line mixing). Consult the invert chemical label for proper mixing directions.

INVASIVE SPECIES MANAGEMENT

This product may be used on public, private, and tribal lands to treat certain weed species infestations that have been determined to be invasive, consistent with the Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW) National Early Detection and Rapid Response (EDRR) System for invasive plants. Effective EDRR systems address invasions by eradicating the invader where possible, and controlling them when the invasive species is too established to be feasibly eradicated. Once an EDRR assessment has been completed and action is recommended, a Rapid Response needs to be taken to quickly contain, deny reproduction, and if possible

eliminate the invader. Consult your appropriate state extension service, forest service, or regional multidisciplinary invasive species management coordination team to determine the appropriate Rapid Response provisions and allowed treatments 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.

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.

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 (WPS) 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. Terrestrial non-crop weed control is not within the scope of the Worker Protection Standard. See the Product Information section of this label for a description of noncrop sites.
Do not enter terrestrial/non-crop treated areas without protective clothing until sprays have dried.

PRODUCT INFORMATION

NON-AGRICULTURAL USES

DuPont™ DPX-KJM44 80XP herbicide is a dispersible granule that is mixed in water and applied as a spray. DPX-KJM44 80XP herbicide may be applied by aerial or ground equipment for control of broadleaf weeds and woody species, including many terrestrial and riparian invasive and noxious weeds. DPX-KJM44 80XP is registered for general weed and brush control on private, public and military lands as follows: uncultivated non-agricultural areas (such as airports, highway, railroad and utility rights-of-way, sewage disposal areas, etc.); uncultivated agricultural areas - non-crop producing (such as farmyards, fuel storage areas, fence rows, non-irrigation ditch banks, barrier strips, etc.); industrial sites - outdoor (such as lumberyards, pipeline and tank farms, etc.) and natural areas (such as wildlife management areas, wildlife openings, wildlife habitats).

DPX-KJM44 80XP may be used for the establishment or release of native grasses and for weed control in established, unimproved grass turf.

Apply DPX-KJM44 80XP preemergence or early postemergence when broadleaf weeds are actively germinating or growing. DPX-KJM44 80XP can provide long term control of susceptible weeds. The length of control is dependent upon the application rate, condition and growth stage of target weeds, environmental conditions at and following application, and the density and vigor of competing desirable vegetation. Best results for long term weed control occur where grasses and other vegetation is allowed to recover from adverse environmental conditions and compete with susceptible weeds.

DPX-KJM44 80XP may be applied broadcast using ground spray equipment, fixed wing aircraft or by helicopter. When applying by fixed wing aircraft or helicopter, follow directions under the Aerial Applications section of this label otherwise refer to the section on Ground Applications when using surface equipment.

DPX-KJM44 80XP may also be applied using low and high volume ground spray equipment.

APPLICATION INFORMATION

AERIAL APPLICATIONS

When applying by air, apply only using nozzles which will deliver coarse or greater (VMD >350 microns) droplets as defined by ASABE S572 standard. Do not release spray at a height greater than 10 feet above the ground or canopy unless a greater height is required for aircraft safety. Do not apply when wind speed is greater than 10 mph. Do not apply during a temperature inversion.

For aerial applications near susceptible crops or other desirable plants, use a drift control additive as recommended by the manufacturer, or apply through a "Microfoil" or "Thru-Valve" boom, or use an equivalent drift control system. Thickened sprays prepared by using high viscosity invert systems or other drift control systems may be utilized if drift control is comparable to that obtained with drift

control additives or the "Thru-Valve" boom. If a spray thickening agent is used, follow all recommendations and precautions on the product label. Do not use a thickening agent with the "Microfoil" boom or other systems that cannot accommodate thick sprays.

DPX-KJM44 80XP may be applied by either fixed wing aircraft or helicopter spray equipment. Fixed wing aircraft and helicopters can be used to apply DPX-KJM44 80XP however, do not make applications by fixed wing aircraft unless appropriate buffer zones can be maintained to prevent spray drift out of the target area or, when treating open tracts of land, spray drift as a result of fixed wing aircraft application can be tolerated.

The application volume required will vary with the height and density of the brush and the application equipment used. Generally, aerial applications will require 15 to 25 gallons of spray solution per acre.

Regardless of the application volume or spray equipment used, thorough coverage of the foliage is necessary to optimize control results.

All precautions and restrictions should be taken to minimize or eliminate spray drift.

GROUND APPLICATIONS

When applying by ground, apply only using nozzles which will deliver coarse or greater (VMD >350 microns) droplets as defined by ASABE S572 standard. Do not apply with a nozzle height greater than 4 feet above the ground or canopy unless necessitated by the application equipment. Apply with the spray boom or nozzle height as low as possible. Do not apply when wind speed is greater than 10 mph. Do not apply during a temperature inversion.

For ground applications, keep the spray boom as low as possible; apply 10 gallons or more of spray per acre; use spray pressures no greater than are required to obtain adequate plant coverage; use large-droplet producing nozzle tips; use drift control additives; use shielded-sprayers or other drift control systems; and/or spray when wind velocity is low.

LOW VOLUME FOLIAR APPLICATION

For low volume applications, see Table 1 for use rate and mixing guidelines. The spray concentration of DPX-KJM44 80XP should be adjusted according to the spray volume per acre and the size and plant density of the target brush species. For best results, include an MSO adjuvant at the rate of 1% v/v. Good plant coverage is necessary for best results. Use spray nozzles and pressure that will aid the proper deposition of the spray solution. Apply in sufficient spray volume to help provide uniform spray distribution of spray particles over the area to be treated and to avoid spray drift. Generally, low volume ground applications will require 20 to 50 gallons per acre and ultra-low volume ground application will require 10 to 20 gallons of spray solution per acre. The use of an even flat fan tip with a spray angle of 40 degrees or less will aid in proper spray deposition. Some recommended tip sizes include 4004E or 1504E. For cone or straight stream nozzle patterns, the

adjustable cone nozzles, such as the 5500 X3 or the 5500 X4 may be used. Use the higher concentration rates for hard to control brush species.

Do not apply more than 6 ounces of DuPont™ DPX-KJM44 80XP per acre per year.

Note: Add a spray pattern indicator, if desired, at the recommended label rates.

HIGH VOLUME FOLIAR APPLICATION

High volume applications may be applied at rates equivalent to broadcast rates up to 6 ounces product per acre per year. Where a rate range is indicated for the brush species, use the higher rate for high density brush sites. For best results, use MSO adjuvant at the rate of 1% V/V to the spray solution.

When making broadcast applications, apply near the tops of the brush plants in a light drizzle pattern. The spray solution should reach the crown of the plants and trickle down into the canopy. Use sufficient spray volume to thoroughly and uniformly wet foliage and stems but don't over apply causing excessive run-off. Generally, high volume ground applications will require 100 to 400 gallons per acre. Do not apply more than 6 ounces product per broadcast acre per year.

SPOT APPLICATION

Spot applications may be applied at rates equivalent to the broadcast application rate up to a maximum of 6 ounces product per acre per year. Use sufficient spray volume to thoroughly and uniformly wet target weed or brush foliage. Use of a high quality MSO adjuvant may be added to the spray mixture as recommended by the adjuvant manufacturer. Repeat applications may be made, but the total amount of DPX-KJM44 must not exceed 6 ounces product per year. To prevent misapplication, spot applications should be applied with either a calibrated boom sprayer, a boom-less sprayer, or a hand-held or backpack sprayer.

Do not apply more than 6 ounces product per broadcast acre per year as a result of broadcast, spot or repeat applications.

Application rates in Table 2 are based on treating an area of 1000 square feet (sq ft). Mix DPX-KJM44 80XP in 0.3 to 3

gallons of water, depending on the spray volume necessary to treat 1000 sq ft.

A spray volume of 0.3 to 3 gallons per 1000 sq ft is equivalent to 13 to 130 gallons per acre.

Table 2. Spot spray rate chart

Amount of DPX-KJM44 80XP per 1000 square feet to Equal a Broadcast Rate		
Broadcast Rate (ounces/acre)	DPX-KJM44 80XP needed per 1000 sq ft	
	(ounces)	(grams)
2.5	0.06	1.7
3.75	0.09	2.6
5	0.12	3.4
6	0.14	4

INVERT EMULSION APPLICATIONS

DPX-KJM44 80XP can be applied as an invert emulsion (water in oil). This can be done in a batch mixing (single tank) or inline-mixing (injected) process. Follow the directions on the invert chemical guide.

CUT STUBBLE TREATMENTS

For the prevention of re-sprouting, after hand cutting or mechanical mowing of susceptible brush species along rights-of-way and other non-crop sites, apply a broadcast application of DPX-KJM44 80XP at 6 ounces product per acre. Apply in a minimum of 20 gallons of water per acre. Make applications soon after cutting. The addition of a penetrating agent at 5% V/V or more can aid in uptake through the bark or exposed roots of the cut brush. For best results, make applications before or during periods of active root growth. Do not apply when the soil is frozen or covered by standing water or snow.

SPECIFIC USE DIRECTIONS

BAREGROUND

DPX-KJM44 80XP may be used in non-crop sites for bareground (total vegetation control) weed control. Preemergence or postemergence applications of DPX-KJM44 80XP provides control of many annual and perennial broadleaf weeds. Apply at up to 6 ounces product

Table 1: DPX-KJM44 Use Rate and Mixing Guide

Total Spray Volume [gallons/acre]	DPX-KJM44 80XP 2.5 ounces/acre [ounces / 100 gallons of spray]*	DPX-KJM44 80XP 3.75 ounces/acre [ounces / 100 gallons of spray]*	DPX-KJM44 80XP 6 ounces/acre [ounces / 100 gallons of spray]*
400	0.6	0.9	1.5
300	0.8	1.3	2.0
200	1.3	1.9	3.0
100	2.5	3.8	6.0
50	5.0	7.5	12.0
40	6.3	9.4	15.0
30	8.3	12.5	20.0
20	12.5	18.8	30.0
10	25.0	37.5	60.0

* Do not exceed the maximum use rate of 6 ounces product per acre per year.

per acre in tank mixes with other products registered for use on bareground sites. Consult the manufacturer's labels for specific rates, weeds controlled and use restrictions.

Make a thorough and uniform application with calibrated spray equipment per label directions. Apply at any time of the year. Use the higher rates of DuPont™ DPX-KJM44 80XP for fall applications and in previously untreated areas or areas with high weed infestations. For postemergence applications always include a spray adjuvant. For faster brown-out or burn down results, add glyphosate or similar products to the tank. For added residual weed control or to broaden the weed control spectrum, tank mix with other residual products registered for use on bareground sites. The level and length of control will depend on the herbicide rate applied, amount of rainfall, soil texture, environmental and applications conditions.

UNIMPROVED TURF GRASS

DPX-KJM44 80XP may be used in non-crop industrial sites, such as, utility rights-of-way and roadsides, for general weed control in established industrial turf grasses. Apply DPX-KJM44 80XP at 0.625 to 2.5 ounces product per acre. Treatments made prior to the full green-up stage may delay green-up. Apply DPX-KJM44 80XP by ground equipment only. Use a minimum of 10 gallons of water per acre. The addition of an MSO adjuvant may increase the potential for turf grass injury.

Important: Temporary chlorosis (yellowing), reddening, stunting, droopy or twisted grass leaves and seed head suppression may occur.

Do not apply in the first growing season of any grass. Do not apply DPX-KJM44 80XP to grass under stress from disease, insects, drought, or other environmental causes.

NON-CROPLAND RESTORATION

DPX-KJM44 80XP is labeled for the control of broadleaf weeds and brush listed in the weeds controlled section in unimproved industrial turf, on roadsides, airports, industrial sites or on other similar non-crop sites in order to establish or release desirable introduced or native perennial grass species for site stabilization.

To maximize and extend the weed and brush control provided by DPX-KJM44 80XP, it is critical that other vegetation management practices, including mowing, fertilization, etc., be incorporated into the restoration program to help extend or build on the weed control benefits and promote the growth of introduced or established grasses and/or desirable plants or plant communities.

During the season of establishment, DPX-KJM44 80XP must only be applied after introduced or native perennial grasses are well established. The grass must have a good secondary root system and show good vigor. DPX-KJM44 may suppress certain established grasses especially when the grass plants are stressed by adverse environmental conditions. Temporary reddening, stunting, droopy or twisted leaves may occur. Do not apply DPX-KJM44 80XP to grass under stress from disease, insects, drought, or other environmental causes.

Apply DPX-KJM44 80XP at 0.625 to 2.5 ounces product per acre in the fall, before the soil freezes, or in the spring after the soil thaws. When applied at lower rates, DPX-KJM44 80XP provides short-term control of weeds listed; when applied at higher rates, weed control spectrum is broadened and extended.

Do not apply when the soil is frozen.

WEEDS CONTROLLED

Use the higher spray volumes and herbicide rates for heavy weed and brush infestations, hard to control species and tall brush or dense hardwood canopies. Do not apply more than 6 ounces product broadcast per acre per year.

BROADLEAF WEEDS Rate (ounces per acre)

Clover, bush	<i>Lespedeza sp.</i>	1.25 to 2.5
Clover, Dutch (white)	<i>Trifolium repens</i>	
Dandelion, common	<i>Taraxacum officinale</i>	
Ironweed, tall	<i>Vernonia gigantea</i>	
Lespedeza, seresia	<i>Lespedeza cuneata</i>	
Lettuce, prickly	<i>Lactuca serriola</i>	
Mullein, turkey	<i>Croton setigerus</i>	
Ragweed, western	<i>Ambrosia psilostachya</i>	
Sowthistle, common	<i>Sonchus oleraceus</i>	
Starthistle, yellow	<i>Centaurea solstitialis</i>	
Knapweed, diffuse	<i>Centaurea diffusa</i>	2.5 to 6
Knapweed, Russian	<i>Centaurea repens</i>	
Knapweed, spotted	<i>Centaurea biebersteinii</i>	
Kochia	<i>Kochia scoparia</i>	
Marestail/horseweed	<i>Conyza canadensis</i>	
Ragweed, common	<i>Ambrosia artemisiifolia</i>	
Spurge, leafy	<i>Euphorbia esula</i>	
Thistle, Canada	<i>Cirsium arvense</i>	
Thistle, cotton	<i>Onopordum acanthium</i>	
Thistle, musk	<i>Carduus nutans</i>	
Thistle, Russian	<i>Salsola iberica</i>	
Plantain	<i>Plantago spp.</i>	3.25 to 6
Aster, white	<i>Aster pilosus</i>	3.75 to 6
Bindweed, field	<i>Convolvulus arvensis</i>	
Cinquefoil, sulfur	<i>Potentilla recta</i>	
Goldenrod, Canada	<i>Solidago canadensis</i>	
Hemlock, poison	<i>Conium maculatum</i>	
Honeysuckle, Japanese	<i>Lonicera japonica</i>	
Poison-ivy, eastern	<i>Toxicodendron radicans</i>	
Teasel	<i>Dipsacus fullonum</i>	
Yarrow, common	<i>Achillea millefolium</i>	

BRUSH Rate (ounces per acre)

Ash (Green, White)	<i>Fraxinus sp.</i>	3 to 6
Catalpa	<i>Catalpa speciosa</i>	
Cottonwood	<i>Populus deltoides</i>	
Dewberry	<i>Rubus trivialis</i>	
Elder, box	<i>Acer negundo</i>	
Elm	<i>Ulmus americana</i>	
Hackberry, common	<i>Celtis occidentalis</i>	
Locust, black	<i>Robinia pseudoacacia</i>	
Maple, red	<i>Acer rubrum</i>	
Maple, silver	<i>Acer sacharinum</i>	
Poplar, yellow	<i>Liriodendron tulipifera</i>	
Sugarberry	<i>Celtis laevigata</i>	
Sumac	<i>Rhus sp.</i>	
Sycamore	<i>Acer pseudoplatanus</i>	
Tupelo, black	<i>Nyssa sylvatica</i>	
Willow, weeping	<i>Salix babylonica</i>	
Wild grape	<i>Vitis rotundifolia</i>	
Oak, northern red	<i>Quercus borealis</i>	5
Sassafras	<i>Sassafras albidum</i>	
Huisache	<i>Acacia farnesiana</i>	6
Mesquite	<i>Prosopis juliflora</i>	

SPRAY EQUIPMENT

Be sure the sprayer is calibrated before use. Use a sufficient volume of water that will deliver a uniform spray pattern and coverage of the target brush or weeds.

The selected sprayer should be equipped with an agitation system to help keep DuPont™ DPX-KJM44 80XP suspended in the spray tank.

Note: Low rates of DPX-KJM44 80XP can kill or severely injure most crops. Following an DPX-KJM44 80XP application, the use of spray equipment to apply other pesticides to crops on which DPX-KJM44 80XP is not registered may result in their damage.

The most effective way to reduce this crop damage potential is to use dedicated mixing and application equipment.

MIXING INSTRUCTIONS

1. Fill the tank 1/3 to 1/2 full of water.
2. While agitating, add the required amount of DPX-KJM44 80XP.
3. Continue agitation until the DPX-KJM44 80XP is fully dispersed, at least 5 minutes.
4. Once the DPX-KJM44 80XP is fully dispersed, maintain agitation and continue filling tank with water. DPX-KJM44 80XP should be thoroughly mixed with water before adding any other material.
5. As the tank is filling, add tank mix partners (if desired) and then add the necessary volume of spray adjuvants. Always add spray adjuvants last.
6. If the mixture is not continuously agitated, settling will occur. If settling occurs, thoroughly re-agitate before using.
7. Apply DPX-KJM44 80XP spray mixture within 24 hours of mixing to avoid product degradation.
8. If DPX-KJM44 80XP and a tank mix partner are to be applied in multiple loads, pre-slurry DPX-KJM44 80XP in clean water prior to adding it to the tank. This will prevent the tank mix partner from interfering with the dissolution of the DPX-KJM44 80XP.

SPRAYER CLEANUP

The spray equipment must be cleaned before DPX-KJM44 80XP is sprayed. Follow the cleanup procedures specified on the labels of the previously applied products.

AT THE END OF THE DAY

It is recommended that during periods when multiple loads of DPX-KJM44 80XP herbicide are applied, at the end of each day of spraying the interior of the tank should be rinsed with fresh water and then partially filled, and the boom and hoses flushed.

This will prevent the buildup of dried pesticide deposits which can accumulate in the application equipment.

1. Empty the tank and drain the sump completely.
2. Spray the tank walls with clean water using a minimum volume of 10% of the tank volume. Circulate the water

through the lines, including all by-pass lines, for at least two minutes. Flush the boom well and empty the sprayer. Completely drain the sump.

3. Repeat step 2.
4. Remove the nozzles and screens and clean separately in a bucket containing water. The rinsate solution may be applied to the non-crop sites listed on this label. Do not exceed the maximum labeled use rate. If cleaners are used, consult the cleaner label for rinsate disposal instructions. If no instructions are given, dispose of the rinsate on site or at an approved waste disposal facility.

Notes:

1. Always start with a clean spray tank.
2. Steam-cleaning aerial spray tanks is recommended to facilitate the removal of any caked deposits.
3. When DPX-KJM44 80XP is tank mixed with other pesticides, all cleanout procedures for each product should be examined and the most rigorous procedure should be followed.
4. In addition to this cleanout procedure, all pre-cleanout guidelines on subsequently applied products should be followed as per the individual labels.
5. Low rates of DPX-KJM44 80XP can kill or severely injure most crops. Following a DPX-KJM44 80XP application, the use of spray equipment to apply other pesticides to crops on which DPX-KJM44 80XP or its active ingredients are not registered may result in their damage. The most effective way to reduce this crop damage potential is to use dedicated mixing and application equipment.

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. 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 air stream 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 - The boom length should not exceed 3/4 of the wing or rotor length - longer booms increase drift potential.
- Application Height - Application more than 10 ft above the canopy increases the potential for spray drift.

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.

SURFACE 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.

SENSITIVE AREAS

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

DRIFT CONTROL ADDITIVES

Drift control additives may be used with all spray equipment with the exception of controlled droplet applicators. When a drift control additive is used, read and carefully observe cautionary statements and all other information on the label. It is recommended that drift control additives be certified by the Chemical Producers and Distributors Association (CPDA).

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 must be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

Refer to the Net Contents section of this product's labeling for the applicable "Refillable Container" or "Nonrefillable Container" designation.

Nonrefillable Plastic and Metal Containers (Capacity Equal to or Less Than 50 Pounds):

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Plastic and Metal Containers

(Capacity Greater Than 50 Pounds): Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Plastic and Metal Containers, e.g., Intermediate Bulk Containers [IBC] (Size or Shape Too Large to be Tipped, Rolled or Turned Upside Down):

Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying the contents from this container into application equipment or mix tank and before final disposal using the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Paper or Plastic Bags, Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners:

Nonrefillable container. Do not reuse or refill this container. Completely empty paper or plastic bag, fiber sack or drum liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer for recycling if available or dispose of empty paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

Refillable Fiber Drums With Liners: Refillable container (fiber drum only). Refilling Fiber Drum: Refill this fiber drum with DuPont™ DPX-KJM44 80XP herbicide containing aminocyclopyrachlor methyl only. Do not reuse this fiber drum for any other purpose. Cleaning before refilling is the responsibility of the refiller. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Disposing of Fiber Drum and/or Liner: Do not reuse this fiber drum for any other purpose other than refilling (see preceding). Cleaning the container (liner and/or fiber drum) before final disposal is the responsibility of the person disposing of the container. Offer the liner for recycling if available or dispose of liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner. To clean the fiber drum before final disposal, completely empty the fiber drum by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer the fiber drum for recycling if available or dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

All Other Refillable Containers: Refillable container. Refilling Container: Refill this container with DuPont™ DPX-KJM44 80XP herbicide containing aminocyclopyrachlor methyl only. Do not reuse this container for any other purpose. Cleaning before refilling is the responsibility of the refiller. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn out threads and closure devices. If damage is found, do not use the container, contact DuPont at the number below for instructions. Check for leaks after refilling and before transporting. If leaks are found, do not reuse or transport container, contact DuPont at the number below for instructions. Disposing of Container: Do not reuse this container for any other purpose other than refilling (see preceding). Cleaning the container before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, use the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Outer Foil Pouches of Water Soluble Packets (WSP): Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or, dispose of the empty outer foil pouch in the trash as long as WSP is unbroken. If the outer pouch contacts the formulated product in any way, the pouch must be triple rinsed with clean water. Add the rinsate to the spray tank and dispose of the outer pouch as described previously.

Do not transport if this container is damaged or leaking. If the container is damaged, leaking or obsolete, or in the event of a major spill, fire or other emergency, contact DuPont at 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.

The DuPont Oval and DuPont™ are trademarks or registered trademarks of E. I. duPont de Nemours and Company.

D - 1724 030212

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. **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.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT CONSISTENT WITH APPLICABLE 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

To the extent consistent with applicable law that allows such requirement, 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 [1-888-638-7668]

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

© 2010-2012 E. I. du Pont de Nemours and Company, 1007 Market Street, Wilmington, Delaware 19898.

All rights reserved.