

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Bill Washburn Helena Chemical Company 225 Schilling Blvd., Suite 300 Collierville, TN 38017

FEB 27 2012

Subject:

Notification per PR Notice 2007-4: Update Container Disposal Instructions

Wildcard Xtra

EPA Reg. No. 5905-550

Application Dated: July 22, 2011

Dear Mr. Washburn:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for the subject product.

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions regarding this letter, please feel free to contact Maggie Rudick at (703) 347-0257 or rudick.maggie@epa.gov.

Sincerely,

Kathryn Montague, Product Manager 23

Herbicide Branch

Registration Division (7505P)



HELENA CHEMICAL COMPANY

225 Schilling Blvd., Suite 300 Collierville, Tennessee 38017 Telephone: 901-761-0050

July 22, 2011

Ms. Kathryn Montague, PM 23
Document Processing Desk (NOTIF)
Office of Pesticide Programs – 750PC
U.S. Environmental Protection Agency
One Potomac Yard, Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

Subject:

WILDCARD XTRA

EPA Reg. No. 5905-550

Notification of Label Change per PR Notice 2007-4

Dear Ms. Montague:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 07/20/11 for a notification per PR Notice 2007-4.
- Two copies of subject label. One highlighted copy showing label revisions to the Refillable Container section to allow for multiple size refillable containers. And one clean copy of the subject label.

Notification of label change per PR Notice 2007-4. This notification is consistent with guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140. 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment is not consistent with the requirements of 40 CFR §§ 156.10, 156.140. 156.144, 156.146, and 156.156, 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 acknowledge acceptance of this notification by stamping the extra copy of this letter and returning in the enclosed self-addressed stamped envelope. Should you have any questions or comments, please do not hesitate to contact me at 901-752-4420 or by e-mail at washburnb@helenachemical.com.

Sincerely,

Bill Washburn

EPA Registration Specialist

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Form Approved, OMB No. 2070-0060, Approval expires 05-31-98 Please read instructions on reverse before completing form. United States **OPP Identifier Number** ☐ Registration **Environmental Protection Agency** ☐ Amendment Washington, DC 20460 Other: Application for Pesticide - Section I 2. EPA Product Manager 1. Company/Product Number Proposed Classification 5905-550 KATHRYN MONTAGUE 4. Company/Product (Name) PM# Restricted WILDCARD XTRA 23 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling **HELENA CHEMICAL COMPANY** 225 SCHILLING BOULEVARD, SUITE 300 EPA Reg. No. **COLLIERVILLE, TN 38017** Product Name Check if this is a new address Section - II Amendment - Explain below. Final printed labels in response to Agency letter dated _ Resubmission in response to Agency letter dated "Me Too" Application Notification - Explain below. Other - Explain below **Explanation**: Use additional page(s) if necessary. (For Section I and Section II.) Notification of label change per PR Notice 2007-4. This notification is consistent with guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140. 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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. Section - III 1. Material This Product Will Be Packaged In: Child-Resistant Packaging Unit Packaging Water Soluble Packaging Type of Container Yes Yes* Yes Metal No. No No No. Plastic If "Yes" If "Yes" No. per No. per Glass Unit Packaging wgt. container Package wgt. container *Certification must Paper be submitted Other (Specify) 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions 2.5, 5.0, 15, 30, and 55 GALLONS X Label On Label Container MINI-BULK AND BULK On labeling accompanying product Other PEEL 'N STICK WITH BOOKLET ATTACHED Lithograph 6. Manner in Which Label is Affixed to Product Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application) Title Telephone No. (Include Area Name Code) **EPA Registration Specialist Bill Washburn** 901-752-4420 Certification 6. Date Application Received I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I

Bill Washburn

EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete

under applicable law.

2. Signature

4. Typed Name

acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both

5. Date

EPA Registration Specialist

7/22/2011

White- EPA File Copy (original) Yellow- Applicant Copy

(Stamped)



FOR CONTROL OF CERTAIN BROADLEAF WEEDS IN SMALL GRAINS (WHEAT, BARLEY, OATS AND RYE), CONSERVATION RESERVE PROGRAM (CRP) AREAS, GRASSES GROWN FOR SEED PRODUCTION AND FLAX

ACTIVE INGREDIENT:

Octanoic acid of ester of bromoxynil (3,5-dibromo-4-Hydroxybenzonitrile)	31.7%*
Isooctyl ester of 2-methyl-chlorophenoxyacetic acid**	
INERT INGREDIENTS:	34.3%
Contains Petroleum Distillate	100.0%

*Bromoxynil octanoate equivalent to 21.8% of bromoxynil or not less than 2.0 pounds of bromoxynil per gallon.

** Equivalent to 21.8% 2-methyl-chlorophenoxyacetic acid or not less than 2.0 pounds MCPA acid per gallon.

Patent No. 6,232,272

KEEP OUT OF REACH OF CHILDREN CAUTION-PRECAUCION

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

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300.

For Medical Emergencies Only, Call 877-325-1840. Product of United Kingdom

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

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

Note to Physician: May pose an aspiration pneumonia hazard. Contains petroleum distillate.

EPA Reg. No. 5905-550 EPA Est. No. 228-IL-1 AD xxxx11

NET CONTENTS: ____ GALLONS

MANUFACTURED FOR HELENA CHEMICAL COMPANY 225 SCHILLING BOULEVARD, SUITE 300 COLLIERVILLE, TN 38017 NOTIFICATION FEB 27 2012

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Some materials that are chemical-resistant to this product are Barrier laminate, Butyl rubber, Nitrile rubber, or Viton gloves. If you want more options, follow the instructions for category F on an EPA chemical resistance category selection chart.

Mixers, Loaders, Applicators, Flaggers, and other handlers must wear:

- long sleeved shirt and long pants
- shoes plus socks
- chemical -resistant gloves for cleaning equipment mixing, and loading
- -chemical-resistant apron for cleaning equipment, mixing, and loading

Additional PPE Requirements for mixers and loaders supporting aerial application to rangelands, pasture lands, or non-cropland. The mixers/loaders also must wear:

- chemical resistant apron, and

NIOSH-approved particulate filtering respirator equipped with N, R, or P class filter media. The respirator should have a NIOSH approval number prefix TC-84A. It is recommended that you require the respirator wearer be fit tested, and trained in the use maintenance, and limitations of the respirator.

USER SAFETY REQUIREMENTS

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

ENGINEERING CONTROLS FOR AERIAL APPLICATIONS

Enclosed Cockpits Engineering Controls: Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240(d)(6).

User Safety Recommendations:

Users should:

- . Wash hands 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 wildlife and fish. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

This chemical has properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the permitting Filename: Wildcard X-Tra (5905-550) 072211 STK.doc

authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

APPLICATION BY CHEMIGATION must be done by fixed pipe, overhead sprinkler systems or hand moved pipe. If hand moved pipe issued for chemigation, the pipe must not be handled in any way until 24 hours after chemigation has been completed and residues have been flushed from the system. When applying by chemigation, no person may enter the application site unless in an enclosed vehicle.

DURING AERIAL APPLICATIONS, human flaggers are prohibited unless in enclosed vehicles. Aerial application is prohibited within 300 feet of residential areas (e.g., homes, schools, hospitals, shopping areas, etc.).

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not cut or weld container.

WARNING

WILDCARD® XTRA Herbicide contains low volatile isooctyl ester of MCPA. At high air or ground surface temperatures, vapors from this product may cause injury to susceptible plants. This fact should be considered when applying WILDCARD® XTRA.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR parts 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 12 hours. The restricted-entry interval (REI) for cotton is 4 days and includes scouts and crop advisors. The exemption in the Worker Protection Standard for certified crop advisors does not apply to bromoxynil. Scouts and crop advisors are prohibited from entering the treated area during the entire 4-day REI for bromoxynil. Applicators and other users must inform crop advisors and scouts of this requirement.

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 a long-sleeved shirt and long pants, chemical-resistant gloves such as nitrile, viton or barrier laminate, chemical-resistant footwear plus socks, chemical-resistant headgear for overhead exposure and protective eyewear.

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.

Do not enter or allow others to enter until sprays have dried.

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Store at temperatures above 32° F. If allowed to freeze, remix before using.

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:

NONREFILLABLE CONTAINER (EQUAL TO OR LESS THAN 5 GALLONS): 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 and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available, 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.

NONREFILLABLE CONTAINER (GREATER THAN 5 GALLONS): 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. Offer for recycling, if available, 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.

REFILLABLE CONTAINERS (LARGER THAN 5 GALLONS): Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. If unable to refill, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke, Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. Prior to refilling, inspect thoroughly for damage such as cracks, punctures, abrasions and damaged or worn out threads on closure devices. Do not refill or transport damaged or leaking containers. Check for leaks after refilling and before transportation. Do not refill or transport damaged or leaking containers. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Deleted: This material may be repackaged in 15 or 30 gallon returnable-refillable containers by Helena or a registered establishment under contract to Helena. After use, return the container to the point of purchase or designated

Deleted: If the container is not being refilled, return it to the point of purchase.

GENERAL INFORMATION

WILDCARD® XTRA is formulated as an emulsifiable concentrate containing the equivalent of 2 lbs. per gallon of bromoxynil and 2 pounds per gallon of MCPA.

WILDCARD® XTRA is a selective postemergence herbicide for control of important broadleaf weeds infesting small grains (wheat, barley, oats, rye), conservation reserve program areas, and grass grown for seed. Optimum weed control is obtained when WILDCARD® XTRA is applied to actively growing weed seedlings. WILDCARD® XTRA is primarily a contact herbicide; therefore thorough coverage of the weed seedlings is essential for optimum control.

WILDCARD® XTRA has little residual activity. Therefore subsequent flushes of weeds will not be controlled by the initial treatment.

Generally crops that form a good canopy will help shade subsequent weed flushes. However, certain crops or short-straw varieties, for example Yaccora Rojo wheat, may not develop the crop canopy fast enough to shade the subsequent flushes of weeds.

Occasional transitory leaf burn may occur. The temporary leaf burn is similar to that seen with liquid fertilizer. Because the activity of WILDCARD® XTRA is mainly contact, recovery of the crop is generally rapid with no lasting effect. Frequency and amount of leaf burn may be greater when crops are stressed by abrasive winds, cool to cold evening temperatures or mechanical injury, such as that caused by hail, sleet or insect feeding. To reduce the potential for temporary leaf burn, applications should be made to dry foliage in the recommended spray volumes per acre when weather conditions are not extreme.

MIXING, LOADING AND HANDLING INSTRUCTIONS

2.5 Gallon Containers

It is strongly recommended that special care be taken in mixing and loading this product. Hands should be placed on the container in such a way as to avoid possible drip or splash.

30 Gallon and Bulk Containers

If you will handle a total of 60 gallons or more of this product per day, you must use a mechanical transfer system for all mixing and loading operations. If this product is packaged in a 30 gallon drum, you must use a mechanical transfer system which terminates in a drip-free hard coupling which may be used only with a spray or mix tank which has been fitted with a compatible coupling. If you do not presently own or have access to a mechanical transfer system with this type of coupling, contact your dealer for information on how to obtain such a system or to modify your present system. When using a mechanical transfer system, do not remove or disconnect the pump or probe from the container until the container has been emptied and rinsed. The pump or probe system must be used to rinse the empty container and to transfer the rinsate directly to the mixing or spray tank.

WILDCARD® XTRA ALONE: Fill the spray tank 1/2 to 3/4 full with clean water. Begin agitation and add the recommended amount of WILDCARD® XTRA. Add water to the spray tank to the desired level. Maintain sufficient agitation to ensure a uniform spray mixture during application.

TANK MIXTURES: WILDCARD® XTRA can be applied in tank mixture with many other herbicides and insecticides registered for use on approved crops. Refer to the specific crop section for rate recommendations and other restrictions. To apply WILDCARD® XTRA in mixture with another product, fill the spray tank 1/2 to 3/4 full with clean water and begin agitation. If tank mixing with wettable powder, soluble powder, flowable or dry flowable products, add the powder or flowable product first. After the other herbicide is thoroughly mixed with water add the recommended amount of WILDCARD® XTRA and add water to the spray tank to the desired level. If tank mixing with other product types, add the WILDCARD® XTRA first before adding the other product. Always mix one product in water thoroughly before adding another product or compatibility problems may occur. Never mix two products together without first mixing in water.

Maintain sufficient agitation while mixing and during application to ensure a uniform spray mixture. If spray mixture is allowed to remain without agitation for short periods of time, be sure to agitate until uniformly mixed before application.

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If tank mixing with products other than those listed within each crop section, a compatibility test is recommended to ensure satisfactory spray preparation. To test for compatibility, use a small container and mix a small amount (0.5 to 1 quart) of spray, combining all ingredients in the same ratio as the anticipated use. If any indications of physical incompatibility develop, do not use this mixture for spraying. Indications of incompatibility usually will appear within 5 to 15 minutes after mixing. To ensure maximum crop safety and weed control, follow all cautions and limitations on this label and the labels of products used in the tank mixture with WILDCARD® XTRA.

SPRAYABLE LIQUID FERTILIZERS AND SPRAY ADDITIVES

WILDCARD® XTRA can be applied in combination with sprayable liquid fertilizer or spray additives such as surfactants or crop oil concentrate. When tank mixing with liquid fertilizer always add the fertilizer to the spray tank first and agitate thoroughly before adding WILDCARD® XTRA. Always predetermine the compatibility with liquid fertilizer by mixing small proportional quantities in advance. Agitation must be maintained during filling and application operations to ensure that WILDCARD® XTRA is evenly mixed with the fertilizer. Leaf burn may occur when WILDCARD® XTRA is applied with liquid fertilizer, but new leaves are not adversely affected.

CAUTION: Fertilizers and spray additives can increase foliage leaf burn when applied with WILDCARD® XTRA. Do not apply fertilizers or spray additives with WILDCARD® XTRA if leaf burn is a major concern due to environmental conditions, crop or variety sensitivity to WILDCARD® XTRA.

APPLICATION PROCEDURES

WILDCARD® XTRA can be applied to registered use areas by ground, aerial and sprinkler irrigation equipment.

GROUND APPLICATION

Use a standard herbicide boom sprayer that provides uniform and accurate application. Sprayer should be equipped with screens no finer than 50 mesh in the nozzle tips and in-line strainers.

Select a spray volume and delivery system that will ensure thorough and uniform spray coverage. For optimum spray distribution and thorough coverage use of flat fan nozzles (maximum tip size 8008) with a spray pressure of 40-60 psi are recommended. Other nozzle types and lower spray pressures that produce coarse spray droplets may not provide adequate coverage of the weeds to ensure optimum control. Raindrop® nozzles and flood nozzles are not recommended as weed control with WILDCARD® XTRA may be reduced.

In general, a spray volume of 10 to 20 gallons per acre (GPA) is recommended for optimum spray coverage. A minimum of 5 GPA with a minimum spray pressure of 50 psi and a maximum ground speed of 10 mph may be used with higher speed, low volume ground application if ground terrain, crop and weed density allow effective spray distribution. When using higher speed equipment, a maximum ground speed of 10 mph is suggested if field conditions cause excessive boom movement during application which results in poor spray coverage. Ground applications made when dry, dusty field conditions exist may provide reduced weed control in wheel track areas. Applications using less than 10 gallons per acre may result in reduced weed control.

When weed infestations are heavy, use of higher spray volumes and spray pressure will be helpful in obtaining uniform weed coverage. When corn or grain sorghum are large enough to interfere with the spray pattern, drop nozzles should be used to obtain uniform weed coverage. If you are unsure of the infestation level or size of crop, consult your local extension service.

Do not apply when winds are gusty or when other conditions favor poor spray coverage and/or off target spray movement. Additional requirements for ground boom application:

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

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AERIAL APPLICATION

Use orifice discs, cores and nozzle types and arrangements that will provide for optimum spray distribution and maximum coverage. In general a minimum spray volume of 5 GPA and a maximum pressure of 40 psi are recommended. A minimum spray volume of 3 gallons per acre may be used if crop canopy and weed density allow adequate spray coverage. Aerial applications using less than 5 gallons of spray volume per acre may result in reduced weed control.

Do not apply during inversion conditions, when winds are gusty or when other conditions favor poor spray coverage and/or off target spray movement. Off target spray movement can be minimized by increasing the spray volume per acre and not applying when winds exceed 10 mph.

SPRAY DRIFT MANAGEMENT:

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when the wind speed is 2-10 mph at the application site.

ADDITIONAL REQUIREMENTS FOR AERIAL REQUIREMENTS:

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

When applications are made with a crosswind, the swath will be displaced downwind. The applicator area by adjusing the path of the aircraft upwind

Do not make applications into temperature inversions.

SPRINKLER IRRIGATION APPLICATION

WILDCARD® XTRA Herbicide can be applied through sprinkler irrigation systems to small grains and grasses grown for seed.

Apply WILDCARD® XTRA Herbicide through sprinkler systems including center pivot, lateral move, side (wheel) roll, solid set or hand move irrigation systems only. If hand moved pipe is used for chemigation, the pipe must not be handled in any way until 24 hours after chemigation has been completed and residues have been flushed from the system. When applying by chemigation, no person may enter the application site unless in an enclosed vehicle. Do not apply this product through any other type of irrigation system.

SPECIFIC REQUIREMENTS FOR APPLICATION THROUGH AUTOMATED SPRINKLER IRRIGATION SYSTEM

- 1. The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow.
- 2. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.
- 3. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

- 4. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
- 5. The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- 6. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
- 7. Do not apply when wind speed favors drift beyond the area intended for treatment.
- 8. Agitation is recommended in the pesticide supply tank when applying the WILDCARD® XTRA Herbicide.
- 9. WILDCARD® XTRA Herbicide should be applied continuously for the duration of the water application with center pivot and continuous lateral move systems. Application of WILDCARD® XTRA Herbicide should be made during the last 30-45 minutes of the irrigation set with other overhead sprinkler systems.
- 10. For best performance, set the sprinkler system to deliver approximately 0.5 inch or less of water per acre.
- 11. Remove scale, pesticide residues and other foreign matter from the supply tank and entire injector system. Flush with clean water.
- 12. If WILDCARD® XTRA Herbicide is diluted in the supply tank, fill the tank with half of the water amount desired, add the WILDCARD® XTRA and then add remaining water amount with agitation. Always dilute with at least 4 parts water to 1 part WILDCARD® XTRA.
- 13. Start the sprinklers and then inject WILDCARD® XTRA Herbicide into the irrigation line. WILDCARD® XTRA should be injected with a positive displacement pump into the main line at least 8 feet ahead of a right angle turn to insure adequate mixing. Refer to the WILDCARD® XTRA Herbicide label for detailed information on application rates and timings.

CHEMIGATION USER PRECAUTIONS

Application of more than 0.5 inch/acre of irrigation water may result in decreased product performance on certain soils.

Do not apply when conditions favor drift, when system connections or fittings leak, or when nozzles do not provide uniform distribution.

Allow sufficient time for pesticide to be flushed through all the lines and nozzles before turning off irrigation water.

Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.

Do not connect an irrigation system used for pesticide application to a public water system.

If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts.

A person knowledgeable of the chemigation system and responsible for its operations, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

GENERAL WEED LIST

Postemergence application of WILDCARD® XTRA Herbicide will control the following weeds when sprayed in the seedling stage.

Maximum weed stage of growth is listed under WILDCARD® XTRA RECOMMENDATIONS.

MOST SUSCEPTIBLE BROADLEAF WEED SPECIES

Annual sowthistle (Sonchus oleraceus) Black mustard (Brassica nigra) Black nightshade (Solanum nigrum) Common cocklebur (Xanthium strumarium) Common lambsquarters (Chenopodium album) Common tarweed (Hemizonia congesta) Cow cockle (Saponaria vaccaria) Cutleaf nightshade (Solanum triflorum) Eastern black (Solanum ptycanthum)

nightshade

Coast fiddleneck (Amsinckia intermedia) Field pennycress (Thlaspi arvense) Green smartweed (Polygonum scabrum) (Solanum sarachoides) Hairy nightshade (Glaucium corniculatum) Horned Poppy **Jimsonweed** (Datura stramonium) Ladysthumb (Polygonum persicaria) Lanceleaf sage (Salvia reflexa) London rocket (Sisymbrium irio) Marshelder (Iva xanthifolia) Pennsylvania (Polygonum strumarium)

smartweed

Pepperweed spp. (Lepidium app.)

Redroot pigweed (Amaranthus retroflexus)

(Salsola kali)

Russian thistle Shepherdspurse (Capsella bursa-pastoris) Silverleaf nightshade (Solanum elaeagnifolium) Smooth pigweed (Amaranthus hybridus) Spiny pigweed (Amaranthus spinosus) 1Sunflower (Helianthus annuus) Tall Waterhemp (Amaranthus tuberculatus) Tartary buckwheat (Fagopyrum tataricum) Tumble mustard (Sisymbrium altissimum) Wild buckwheat (Polygonum convolvulus) Wild mustard (Sinapis arvensis)

SUSCEPTIBLE BROADLEAF WEED SPECIES

Blue (purple) mustard (Chlorispora tenella) Common groundsel (Senecio vulgaris) Common ragweed (Ambrosia artemisiifolia) (Anthemis arvensis) Corn chamomile Corn gromwell (Lithospermum arvense) **Fumitory** (Fumaria officinalis) Giant ragweed (Ambrosia trifida) Hemp sesbania (Sesbania exaltata) Henbit (Lamium amplexicaule)

lyyleaf morningglory (Ipomoea hederacea) Knawel (Scleranthus annuus) Kochia (Kochia scoparia) Mayweed (Anthemis cotula) Prostrate knotweed (Polygonum aviculare) Puncture vine (Tribulus terrestris) Tall morningglory (Ipomoea purpurea) Tansy mustard (Descurainia pinnata) Tarweed (Hemizonia spp.) Velvetleaf (Abutilon theophrasti) Wild radish (Raphanus raphanistrum)

Weeds germinating after spraying will not be controlled.

¹ For control of sunflower, delay application until first sunflower seedlings emerging are 4 inches in height.

WEED SUPPRESSION

Yellow rocket

Canada Thistle

(Cifsium arvense)

(Barbarea vulgaris)

WILDCARD® XTRA Herbicide applied at 1-1/2 pints per acre provides burn down of top growth. Regrowth may occur. Make applications when Canada thistle is 8 inches tall to the bud stage.

WHEAT, BARLEY, OATS AND RYE WILDCARD® XTRA RECOMMENDATIONS

		APPLICATION TIMING AND SPECIFIC	
PRODUCT	RATE	CROP	WEEDS
WILDCARD® XTRA	1 pint/A	Fall seeded wheat, barley, oats and rye throughout the United States and spring seeded wheat, barley, oats and rye in Idaho, Oregon, Washington, Colorado, Wyoming and Montana. Apply to wheat, barley, oats and rye from the 3 leaf stage but before the crop reaches the boot stage.	MOST SUSCEPTIBLE BROADLEAF WEEDS: Apply to weeds up to the 8 leaf stage or 4 inches in height, whichever comes first. If weed forms rosette, apply before weeds exceed 2 inches in diameter.
	1-1/2 to 2 pints/A		SUSCEPTIBLE BROADLEAF WEEDS: Apply to weeds up to the 4 leaf stage or 2 inches in height, whichever comes first. If weed forms rosette, apply before weeds exceed 1 inch in diameter.
	2 pints/A		Apply to henbit, knawel and mayweed up to the 4 leaf stage or 2 inches in height, whichever comes first. Apply to kochia and tansy mustard for improved control when these weeds exceed the recommended stage of growth or are growing under cool, dry conditions.
	1-1/2 pints/A	Spring seeded wheat and barley except Idaho, Oregon, Washington, Colorado, Montana, and Wyoming. Apply to wheat, barley, oats and rye from the 3 leaf stage but before the crop reaches the boot stage.	MOST SUSCEPTIBLE AND SUSCEPTIBLE BROADLEAF WEEDS: Apply to weeds that do not exceed the 8 leaf stage or 4 inches in height, whichever comes first. If weed forms rosette, apply before weeds exceed 2 inches in diameter. Apply to kochia up to 2 inches in height.
	1-1/2 to 2 pints/A	Spring seeded wheat and barley except except Idaho, Oregon, Washington, Colorado, Montana, and Wyoming. Apply to wheat, barley, oats and rye from the 3 leaf stage but before the crop reaches the boot stage.	Apply to kochia that is 2-4 inches height.
	Chemigation Only 2 pints/A	Apply to wheat, barley, oats and rye from the 3 leaf stage but before the boot stage. Apply through automated sprinkler irrigation systems with mechanical transfer loading system only. See MIXING LOADING AND HANDLING INSTRUCTIONS section for complete details.	Apply to MOST SUSCEPTIBLE and SUSCEPTIBLE broadleaf weeds up to the 4 –leaf stage, 2 inches in height or 1 inch in diameter, whichever comes first.
	Post-harvest 3/4 - 2 pints/A	Make applications following harvest of wheat, barley, oats and rye in the	Apply ¾ to 1 pints/A to MOST SUS- CEPTIBLE BROADLEAF WEEDS up to

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states of North Dakota, South Dakota, Minnesota, and Montana. Do not plant any rotational crop until

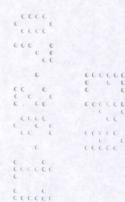
the 8 leaf stage or 4 inches in height, whichever comes first. Apply 1-1/2 to 2 pints/A to SUSCEPTIBLE BROADLEAF

WHEAT, BARLEY, OATS AND RYE WILDCARD® XTRA RECOMMENDATIONS (continued)

	APPLICATION TIMING AND SPECIFIC COMMENTS		
PRODUCT	RATE	CROP	WEEDS
		the following use season.	WEEDS up to the 4 leaf stage or 2 inches in height, whichever comes first. For control of both grasses and broadleaf weeds, tank mix WILDCARD® XTRA with Roundup® or Roundup®+2,4-D such as WEEDONE® or WEEDAR® brand herbicides.

WHEAT, BARLEY, OATS AND RYE
WILDCARD® XTRA TANK MIXTURE RECOMMENDATIONS

		APPLICATION TIMING AND SPECIFIC	COMMENTS
PRODUCT	RATE	CROP	WEEDS
WILDCARD® XTRA + Rhonox® (MCPA Ester)	3/4 - 2 pints/A + 1/4-1/2 pint/A	Apply to spring seeded wheat, barley, oats and rye from tillering stage, but before boot stage.	For control of MOST SUSCEPTIBLE and SUSCEPTIBLE weeds and improved control of redroot pigweed and kochia. Apply to weeds up to the 8 leaf stage, 3 inches in height or 2 inches in diameter, whichever comes first. Apply to kochia and redroot pigweed up to 2 inches in height or diameter.
+ Glean® + nonionic surfactant	3/4 to 1-1/2 pints/A + 1/6-1/3 oz/A + 1 qt/100 gal of water	Apply to wheat and barley from the 3 leaf stage but before the crop reaches the boot stage. Refer to Glean® label for crop rotation and other restrictions.	This tank mix improves control of broadleaf weeds such as henbit, tansy mustard and chickweed. Apply to weeds up to the 8-leaf stage, 4 inches in height or 2 inches in diameter, whichever comes first.
# Finesse® + nonionic surfactant	3/4 to 1-1/2 pints/A + 1/6-1/3 oz/A + 1 qt/100 gal of water	Apply to wheat and barley from the 3-leaf stage but before the crop reaches the boot stage. Refer to Finesse® label for crop rotation and other restrictions.	This tank mix improves control of broadleaf weeds such as henbit, tansy mustard and chickweed. Apply to weeds up to the 8-leaf stage, 4 inches in height or 2 inches in diameter, whichever comes first.
WILDCARD® XTRA + Ally® + nonionic surfactant	3/4 to 1-1/2 pints/A + 1/10 oz/A + 1 qt/100 gal of water	Apply to wheat and barley from the 3-leaf stage but before the crop reaches the boot stage. Refer to Ally® label for crop rotation and other restrictions.	This tank mix improves control of broadleaf weeds such as henbit, tansy mustard and chickweed. Apply to weeds up to the 8-leaf stage, 4 inches in height or 2 inches in diameter, whichever comes first.



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WILDCARD® XTRA	3/4 to 1-1/2 pints/A	Fall seeded wheat from the 3 leaf stage but before jointing. Spring seeded wheat from the 3 to 5 leaf stage of growth.	This tank mix improves control of broadleaves such as prostrate knotweed and kochia. Apply to weeds up to the 8
Banvel®	1/8 - 1/4 pint/A	nom the 3 to 3 lear stage of growth.	leaf stage, 3 inches in height or 2 inches in diameter, whichever comes first. Apply to kochia up to 2 inches in height or diameter.

WHEAT, BARLEY, OATS AND RYE
WILDCARD® XTRA TANK MIXTURE RECOMMENDATIONS (continued)

		APPLICATION TIMING AND SPECIFIC	COMMENTS
PRODUCT	RATE	CROP	WEEDS
# Harmony® Extra + nonionic surfactant	3/4 to 1-1/2 pints/A + 3/10 - 1/2 oz/A + 1 qt/100 gal of water	Winter wheat. Apply from the 3 leaf stage but before the 3 rd node is detectable. Refer to the Harmony® Extra label for crop rotation and other restrictions. Spring wheat and barley. Apply after the 3 leaf but before the 1 st node is detectable. Refer to the Harmony® Extra label for crop rotation and other restrictions.	This tank mix improves control of broadleaf weeds such as henbit, chickweed and redroot pigweed. Apply to weeds up to the 8 leaf stage, 4 inches in height or across, whichever comes first.
+ Amber® + nonionic surfactant	3/4 to 1-1/2 pints/A + 0.28 - 0.56 oz/A + 0.25 - 0.5% v/v	Apply to wheat and barley from the 3 leaf stage, but before the flag leaf is visible. Refer to the Amber® label for crop rotation and other restrictions.	This tank mix improves control of broadleaves such as henbit, tansy mustard, and pigweed. Apply to weeds up to the 4 leaf stage, 4 inches in height or 2 inches in diameter, whichever comes first.
+ Express® + nonionic surfactant	3/4 to 1-1/2 pints/A + 1/6 - 1/3 oz/A + 1 qt/100 gal of water	Wheat and barley. Apply from the 3 leaf stage but before the flag is visible. Refer to the Express® label for crop rotation and other restrictions.	This tank mix improves control of broadleaf weeds such as henbit, chickweed, redroot pigweed and suppression of Canada thistle. Apply to annual weeds up to the 8 leaf stage, 4 inches in height or across, whichever comes first and to Canada thistle 4 to 8 inches tall with 2 to 6 inches of new growth.
WILDCARD® XTRA + Curtail® or Curtail® M	3/4 to 1-1/2 pints/A + 2 pints/A	Apply to wheat and barley after the crop begins to tiller up to the 1st node detectable.	This tank mix improves control of kochia, wild buckwheat and suppression of Canada thistle. Apply to annual broadleaf weeds up to the 8 leaf stage, 4 inches in height or 2 inches in diameter and to Canada thistle in the rosette to prebud stage.
WILDCARD® XTRA + metribuzin (Sencor® or Lexone®)	1 pint/A + 1/8 - 3/16 lb ai/A	Winter wheat in Idaho, Oregon and Washington. Apply in spring after growth has started and secondary roots with a minimum of 3 to 4 tillers have been established, but before the forming of joints in the stem. Avoid application when crop has experienced winter kill, frost damage, disease or drought.	This tank mix improves control of broadleaf weeds such as chickweed, filaree, henbit. Apply to weeds up to the 4 leaf stage, 2 inches in height or diameter, whichever comes first. A recognized authority should be consulted concerning the use of this mixture in your area.
WILDCARD® XTRA + Avenge®	1 - 2 pints/A + 2-1/2 to 4 pints/A	Winter wheat. Four leaf to tillering stage. Refer to Avenge® label for varietal and other restrictions. Spring Wheat. Five to 6 leaf stage. Refer to Avenge® label for varietal and other	This tank mix will provide wild oat control in addition to broadleaves. Apply to wild oats in the 3-5 leaf stage and broadleaves that do not exceed the 4 leaf stage or rosettes of 1.5 inches in diameter. Avenge use rates per

		restrictions. Barley. Three to 7 leaf stage.	acre are 2-1/2 pints (1-10 oats per sq. ft.), 3 pints (11-25 oats per sq. ft.) or 4 pints (more than 25 oats per sq. ft.).
wildcard® xtra + Assert®	1 to 1-1/2 pints/A + 1 to 1-1/2 pints/A	Apply to wheat and barley from the 3 leaf stage but before boot stage. Refer to Assert® label for crop rotation and other restrictions.	This tank mix will provide wild oat control in addition to broadleaf weeds. Apply to wild oats at the 1-4 leaf stage and broadleaf weeds up to the 8 leaf stage, 4 inches in height or 2 inches in diameter, whichever comes first. Use Assert at 1-1/2 pints/A west of the Rocky Mountains or if wild oats have initiated tillering. For spray volumes in excess of 10 GPA, add 0.3 fluid oz of nonionic surfactant for each gallon in excess of 10 GPA.

Restrictions and Precautions: Wheat, Barley, Oats and Rye

- Do not graze treated field within 45 days after application.
- Do not apply when crops are under moisture stress.
- Do not apply when crop canopy covers the weeds as poor control will result.
- Reduced weed control may occur when weeds are stressed from lack of moisture or cold temperatures.
- Refer to labels of products used in tank mixture for additional restrictions and precautions.

Do not apply more than 0.75 lb of WILDCARD® XTRA ae / acre per year.

CONSERVATION RESERVE PROGRAM AREAS (CRP) WILDCARD® XTRA RECOMMENDATIONS

CONTRACTOR OF STREET	APPLICATION TIMING AND SPECIFIC COMMENTS		
PRODUCT	RATE	CROP	WEEDS
WILDCARD® XTRA	1 - 2 pints/A	Apply to grasses from the 3 leaf stage.	Apply 1 pint/A to MOST SUSCEPTIBLE and 1-1/2 to 2 pints/A to SUSCEPTIBLE broadleaf weeds up to the 8 leaf stage, 4 inches in height or 2 inches in diameter, whichever comes first.

RESTRICTIONS AND PRECAUTIONS: CRP AREAS

- Do not allow livestock to graze in treated areas or feed treated grass to livestock.
- If legumes are included in CRP area planting, severe injury may occur to legumes treated with WILDCARD®
- Do not apply more than 1.5 lb. of WILDCARD® XTRA ae/acre per year.
- Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

GRASSES GROWN FOR SEED PRODUCTION WILDCARD® XTRA Recommendations

Seedling and Established Grasses

	RATE	RATE	APPLICATION TIMING AND	SPECIFIC COMMENTS
PRODUCT	Per ACRE	Per 1000 SQ.FT.	CROP	WEEDS
WILDCARD® XTRA	1 to 3 Pints	0.375 to 1.125 Fl. Oz.	Apply to established and newly seeded grasses grown for seed or sod production before the boot stage. Established grasses tolerant to WILDCARD® XTRA include bentgrasses, Kentucky Bluegrass, Fescues, Ryegrass,	Refer to the GENERAL WEED LIST for a listing of susceptible broadleaf weeds. Optimal control will be attained when weeds are treated in the seedling stage (less than 4 leaf stage, 2 inches in height, or 1 inch in diameter).

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			Bermudagrass, St. Augustinegrass and Zoysiagrass. WILDCARD® XTRA may also be used on seedling grasses such as Merion, Park, Delta, or common Kentucky Bluegrasses, Pennlawn, Chewings, Illahee or Alta Fescues, Orchard grass, Highland, Seaside or Astoria Bentgrasses, perennial Ryegrasses, Bahiagrass and Zoysiagrass.	
WILDCARD® XTRA	Chemigation 2 pints/A only	0.75 Fl. Oz.	Apply to established and newly seeded grasses grown for seed or sod production before the boot stage. Apply through	

GRASSES GROWN FOR SEED PRODUCTION WILDCARD® XTRA Recommendations (continued)

Seedling and Established Grasses

	RATE	RATE	APPLICATION TIMING AND SPECIFIC COMMENTS	
PRODUCT	Per ACRE	Per 1000 SQ.FT.	CROP	WEEDS
	1-3pints	0.375 -1.125 FI Oz.	automated sprinkler irrigation systems with mechanical transfer loading system only. See MIXING, LOADING AND HANDLING INSTRUCTIONS section for complete details. Refer to the list of established grasses that are tolerant to WILDCARD® XTRA.	

RESTRICTIONS AND PRECAUTIONS: Grasses grown for seed or sod production

- Do not allow livestock to graze in treated areas or feed treated grasses to livestock.
- Do not apply WILDCARD® XTRA to grasses grown for seed production with backpack or hand-held application equipment.

Note: Do not apply more than 1.5 Lb ae/acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

FLAX (Linum usitatissium only) WILDCARD® XTRA Recommendations

	APPLICATION TIMING AND SPECIFIC COMMENTS		
PRODUCT	RATE	CROP	WEEDS
WILDCARD® XTRA	0.9 pint- 1 pint/ac	Apply to flax 2 to 8 inches in height. Do not apply WILDCARD® XTRA to flax during or after the bud stage.	Apply to MOST SUSCEPTIBLE weeds that do not exceed the 4 leaf stage, 2 inches in height or 1 inch in diameter, whichever comes first.

RESTRICTIONS AND PRECAUTIONS: Flax (Linum usitatissium only)

- Do not apply more than 0.25 lb. of WILDCARD® XTRA ae/acre per year
- Do not apply if temperatures are expected to exceed 85° F at or 3 days following application or crop injury may occur.

- Unacceptable crop injury may occur following WILDCARD® XTRA application to flax grown on high organic, peat type soils.
- Application under high humidity conditions can injure flax.
- Unless otherwise instructed, do not apply WILDCARD® XTRA to flax with crop oil concentrate, surfactants or nitrogen solutions.
- Do not use on ornamental flax.

CONDITIONS OF SALE - LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return the product, unopened, and the full purchase price will be refunded.

The directions on this label are believed to be reliable and should be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions or the failure to follow the label directions or good application practices, all of which are beyond the control of Helena Chemical Company (the "Company") or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. The Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of the Company. To the extent consistent with applicable law, the Company makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose, and no such warranty shall be implied by law.

To the extent consistent with applicable law, the exclusive remedy against the Company for any cause of action relating to the handling or use of this product shall be limited to, at Helena Chemical Company's election, one of the following:

- 1. Refund of the purchase price paid by buyer or user for product bought, or
- 2. Replacement of the product used

To the extent consistent with applicable law, the Company shall not be liable and any and all claims against the Company are waived for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income. The Company and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.

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