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03-19-2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709

MAR 13 2010

Subject: EPA Reg. 7969-150 / Distinct Herbicide Dicamba RED Amendments
SLN: CO020008, KS020001, NE020003

The labeling (EPA Reg. 7969-150 and SLNs CO020008, KS020001, and NE020003) referred to above are in compliance with the Dicamba RED and is amended under the RED provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
- 2) Please note: Final product reregistration can't be considered until after all active ingredients in this product are eligible for reregistration.
- 3) Per the acute toxicity review, the following "IF SWALLOWED" statements must be added to the first aid statements currently on the label:

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

- 4) Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

"CAUTION

Harmful if swallowed. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing."

- 5) Because chemical-resistant gloves are specified for all handlers (except for pilots), the handler glove statement must be revised to read "Chemical-resistant gloves (except for pilots)."

- 6) Per the RED label table, the text in **bold type** below must be added to the following User Safety Requirements:

"...If no such instructions for washables **exist**, use detergent and hot water..."

- 7) Per the RED, the entry restriction text appearing in the Non-Agricultural Use Requirements box ("Do not enter treated areas without protective clothing until sprays have dried" and "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") must be deleted from this section of the label. The entry restriction text must read "Do not enter or allow others to enter until sprays have dried."

8) Per the revised RED label table, a PHI of 7 days must be added to the use directions for wheat grain and grass hay.

9) Change "General Information" to "Product Information". Delete "General" from "General Tank Mixing Information" and "General Restrictions and Limitations". On page 9, bottom of page, change "such as" to "including". On page 10, change "is recommended for enhanced suppression" to "is to be used for enhance suppression". Throughout the label change "recommendations, recommended, etc." to "specified or as directed" when describing use rates.

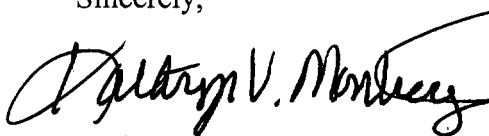
10) To the label add "Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et.al. v. EP, C01-0132C, (W.D. WA)" For further information, please refer to <http://www.epa.gov/espp/litstatus/wtc/index.htm>.

Comments on the SLNs:

CO020008, KS020001, and NE020003: Change "should not" to must not (Application). Change "application should be" to "application must be" (Wind). Change "should not occur" to "must not occur" (temperature inversions). Change "should only be" to "must only be" (sensitive areas).

A stamped copy of the label is enclosed for your records. You must submit one copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next round of printing must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions. This label supersedes all other previously accepted labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

Sincerely,



Kathryn Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Stamped 6-1-09

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The Chemical Company

Distinct®

herbicide

ACCEPTED
with COMMENTS
In EPA Letter Dated:
MAR 19 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

7969-150

For use in cotton, field corn, popcorn, sweet corn, soybeans, wheat (winter and spring), and noncrop areas

Active Ingredients:

sodium salt of diflufenzopyr: 2-(1-[[[3,5-difluorophenylamino] carbonyl]-hydrazono]ethyl)-3-pyridinecarboxylic acid, sodium salt*	21.3%
sodium salt of dicamba: 3,6-dichloro- <i>o</i> -anisic acid**	55.0%

Other Ingredients:	23.7%
Total:	100.0%

*This product contains 20% 2-(1-[[[3,5-difluorophenylamino] carbonyl]-hydrazono]ethyl)-3-pyridinecarboxylic acid (diflufenzopyr) or 0.20 pounds acid equivalent per pound of product.

**This product contains 50% 3,6-dichloro-*o*-anisic acid or 0.50 pound acid equivalent per pound of product.

EPA Reg. No. 7969-150

EPA Est. No.

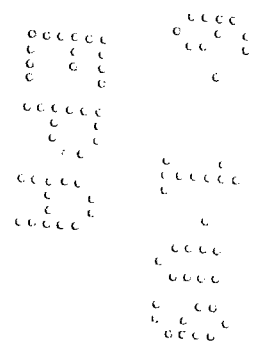
KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCIÓN

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.)

See inside for complete **First Aid, Precautionary Statements, Directions For Use,** and **Conditions of Sale and Warranty,** and state-specific crop and/or use site restrictions.

In case of an emergency endangering life or property involving this product, call day or night 1-800-832-HELP (4357).

Net Contents:



FIRST AID	
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes; then continue rinsing. • Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> • 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 by a poison control center or doctor. • DO NOT give anything by mouth to an unconscious person.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).</p>	

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are natural rubber, nitrile rubber, and viton. If you want more options, follow the instructions for **Category A** on an EPA chemical-resistance selection chart.

All mixers, loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves (except for applicators using groundboom equipment, pilots, and flaggers)

See **Engineering Controls** for additional requirements and exceptions.

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

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- 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.

Engineering Controls

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

requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)].

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

Ground and Surface Water Protection

Point source contamination: To prevent point source contamination, **DO NOT** mix, load this pesticide product within 50 feet of wells (including abandoned wells and drainage wells), sinkholes, perennial or intermittent streams and rivers, and natural or impounded lakes and reservoirs. **DO NOT** apply pesticide product within 50 feet of wells. This setback does not apply to properly capped or plugged abandoned wells and does not apply to impervious pad or properly diked mixing/loading areas as described below.

Mixing, loading, rinsing, or washing operations performed within 50 feet of a well are allowed only when conducted on an impervious pad constructed to withstand the weight of the heaviest load that may be on or move across the pad. The pad must be self-contained to prevent surface water flow over or from the pad. The pad capacity must be maintained at 110% that of the largest pesticide container or application equipment used on the pad and have sufficient capacity to contain all product spills, equipment or container leaks, equipment washwaters, and rainwater that may fall on the pad. The containment capacity does not apply to vehicles delivering pesticide shipments to the mixing/loading site. States may have in effect additional requirements regarding wellhead setbacks and operational containment.

Care must be taken when using this product to prevent back-siphoning into wells, spills, or improper disposal of excess pesticide, spray mixtures or rinsates. Check valves or antisiphoning devices must be used on all mixing equipment.

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Movement by surface runoff or through soil:

DO NOT apply under conditions which favor runoff. **DO NOT** apply to impervious substrates such as paved or highly compacted surfaces in areas with high potential for groundwater contamination. Groundwater contamination may occur in areas where soils are permeable or coarse and groundwater is near the surface. **DO NOT** apply to soils classified as sand with less than 3% organic matter and where groundwater depth is shallow. To minimize the possibility of groundwater contamination, carefully follow application rate recommendations.

Movement by water erosion of treated soil:

DO NOT apply or incorporate this product through any type of irrigation equipment or by flood or furrow irrigation. Ensure treated areas have received at least 1/2-inch rainfall (or irrigation) before using tailwater for subsequent irrigation of other fields.

Endangered Species Concerns

The use of any pesticide in a manner that may kill or otherwise harm an endangered species or adversely modify their habitat is a violation of federal law.

Directions For Use

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

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the restricted-entry interval (REI) of **24 hours**. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls worn over short-sleeved shirt and short pants
- Chemical-resistant footwear plus socks
- Chemical-resistant gloves made of any waterproof material
- Chemical-resistant headgear for overhead exposure
- Protective eyewear

Nonagricultural 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. Pasture and rangeland weed control is not within the scope of the Worker Protection Standard.

DO NOT enter treated areas without protective clothing until sprays have dried.

DO NOT enter or allow people (or pets) to enter the treated area until sprays have dried. **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.

All applicable directions, restrictions, precautions and **Conditions of Sale and Warranty** are to be followed.

Storage and Disposal

DO NOT contaminate water, food, or feed by storage or disposal.

Pesticide Storage. Store product in original container only. Store product in a cool, dry place. **DO NOT** store this product under wet conditions. Avoid cross-contamination with other pesticides.

Pesticide Disposal. Wastes resulting from this product may be disposed of on-site or at an approved waste disposal facility. Improper disposal of excess pesticide, spray mix, or rinsate is a violation of federal law. If these wastes cannot be disposed of according to label instructions, contact the state agency responsible for pesticide regulation or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

Triple rinse containers small enough to shake (capacity ≤ 50 pounds) 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.

Triple rinse containers too large to shake (capacity > 50 pounds) 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. 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.

Pressure rinse as follows: Empty the remaining contents into application equipment or mix tank. Hold container upside down over application equipment or mix tank, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

In Case of Emergency

In case of large-scale spillage regarding this product, call:
 CHEMTREC 1-800-424-9300
 BASF Corporation 1-800-832-HELP (4357)

In case of medical emergency regarding this product, call:

- Your local doctor for immediate treatment
- Your local poison control center (hospital)
- BASF Corporation 1-800-832-HELP (4357)

I. General Information

Distinct® herbicide is a selective postemergence herbicide for the control of annual broadleaf weeds, control or suppression of many perennial broadleaf weeds, and suppression of annual grasses found in field corn grown for grain, seed, or silage; popcorn; sweet corn; and noncrop areas. **Distinct** is recommended to be used sequentially or tank mixed with a grass herbicide for a complete weed control program (refer to section **V. General Tank Mixing Information**).

Table 1. General Weed List, Including ALS-resistant¹ and Triazine-resistant Biotypes

Annual Broadleaf Weeds	Perennial Broadleaf Weeds
Amaranth, Palmer	Alfalfa
Beggarweed, Florida	Bindweed, Field
Buckwheat, Wild	, Hedge
Buffalobur	Clover, White
Burcucumber	Dandelion, Common
Carpetweed	Dock, Broadleaf
Cocklebur, Common	, Curly
Croton, Tropic	Dogbane, Hemp
Devil's Claw	Horsenettle, Carolina
Jimsonweed	Knapweed, Spotted
Knotweed, Prostrate	Milkweed, Common
Kochia	, Honeyvine
Ladysthumb	Nightshade, Silverleaf
Lambsquarters, Common	Plantain, Broadleaf
Mallow, Venice	Pokeweed
Marestail (Horseweed)	Potato, Volunteer
Morningglory, Entireleaf	Smartweed, Swamp
, Ivyleaf	Sowthistle, Perennial
, Pitted	Thistle, Canada
, Smallflower	Annual Grasses³
, Tall	Barnyardgrass
Nightshade, Black	Foxtail, Giant
, Eastern Black	, Green
, Hairy	, Yellow
Pigweed, Prostrate	Johnsongrass (seedling)
, Redroot (Carelessweed)	Panicum, Fall
, Rough	Shattercane
, Smooth	Signalgrass, Broadleaf
, Spiny	
, Tumble	
Purslane, Common	
Ragweed, Common	
, Giant (Buffaloweed)	
Sesbania, Hemp	
Shepherdspurse	
Sicklepod	
Sida, Prickly (Teaweed)	
Smartweed, Pennsylvania	
Smellmelon	
Sowthistle, Annual	
Spurge, Prostrate	
Sunflower, Common (Wild)	
, Volunteer	
Thistle, Russian	
Velvetleaf	
Waterhemp, Common	
, Tall	

¹ALS (acetolactate synthase)-resistant weeds include those weeds resistant to the sulfonylurea (e.g., **Spirit®** and **Exceed®**), imidazolinone (e.g., **Lightning® herbicide**), or sulfonamide (e.g., **Python® herbicide**) family of herbicides.

²Partially controlled or suppressed.

³**Distinct** provides suppression of annual grasses at appropriate rates. Emerged grasses up to 3 inches tall will cease growing, but may remain green for weeks after application. Regrowth of grasses is limited once corn canopies over the row middles.

Mode of Action

Distinct® herbicide is absorbed by leaves, roots, and shoots and translocated to the growing points of sensitive weeds to provide postemergence control of emerged weeds as well as moderate residual control of germinating weeds. **Distinct** controls weeds by auxin transport inhibition and auxin agonist modes of action.

Crop Tolerance

Corn is generally very tolerant to application of **Distinct**. Temporary injury may occur under conditions of crop stress or rapid growth. Crop stress can be caused by drought, poor fertility, other pesticides (i.e., other herbicides) or foliar damage due to hail, wind or insects. Injury can be avoided by agronomic practices that promote good crop growth and minimize stress conditions and especially combinations of stress factors. Crop leaning may occur during periods of rapid growth, but is usually temporary and dissipates within 7 days without subsequent yield reduction.

Corn growing under stress conditions such as drought, poor fertility, or foliar damage due to hail, wind or insects, can exhibit various injury symptoms that may be more pronounced if herbicides are applied.

Coverage

Weeds must be thoroughly covered with spray. Dense leaf canopies shelter smaller weeds and can prevent adequate spray coverage.

Cultivation

Avoid disturbing (e.g., tillage or cultivating) treated areas for at least 7 days following application to allow best herbicide uptake, translocation, and weed control.

Cleaning Spray Equipment

Clean application equipment thoroughly by using a strong detergent or commercial sprayer cleaner according to the manufacturer's directions and triple rinsing the equipment before and after applying this product.

II. Application Instructions

Best product performance is obtained when **Distinct** is applied to actively growing weeds. Weeds treated with **Distinct** will typically display symptoms within several hours and be controlled in 3 to 7 days. Treated weeds will stop growing soon after application. Broadleaf weeds will display epinastic twisting and crinkling symptoms before becoming necrotic. Suppressed grass weeds may display some epinasty and remain stunted and green.

Ground Application Methods and Equipment

As a wettable granule formulation, **Distinct** can be applied using water as the spray carrier.

Water Volume. Use 3 to 50 gallons of diluted spray solution per treated acre. Use the higher water volume when treating dense or tall vegetation.

Application Equipment. Use application equipment that will provide good spray coverage of weed foliage. Exercise preventive measures to avoid drift onto nontarget areas.

Spray Drift Management

Spray drift from application equipment or the use of poorly cleaned equipment may cause injury to broadleaf crops such as tobacco and soybeans.

Avoid application when spray particles can be carried by wind to areas where broadleaf crops or plants are growing, or when temperature inversions exist. **Distinct** should not be applied during periods of gusty wind or when winds exceeds 15 mph as uneven spray coverage may occur.

DO NOT spray near sensitive crops if winds exceeds 5 mph toward sensitive plants.

Use coarse sprays (volume median diameter of 400 microns or more) to avoid potential herbicide drift. Select nozzles that are designed to produce minimal amounts of fine spray particles (less than 200 microns). Examples of nozzles designed to produce coarse sprays via ground applications are **Delavan® Raindrop, Spraying Systems XR** (excluding 110° tips) flat fans, **Turbo Teejet®, Turbo Floodjet®**, or large capacity flood nozzles such as D10, TK10, or greater capacity tips. Keep the spray pressure at or below 20 psi and the spray volume at or above 20 gallons per acre, unless otherwise required by the manufacturer of drift-reducing nozzles. Consult your spray nozzle supplier concerning the choice of drift-reducing nozzles. Agriculturally approved drift-reducing additives may be used.

III. Additives

Adjuvants must be used with **Distinct** to achieve consistent weed control. The best results under most conditions will be achieved by combining a nonionic surfactant with urea ammonium nitrate. Refer to **Table 2. Additive Rates** for additive rates. Penetrants such as petroleum-based oils or methylated seed oils (MSO) are not recommended when **Distinct** is applied after corn emergence unless as specified for certain tank mixes. (See **Crop-specific Information** and **Noncrop Uses** sections of this label.)

Nonionic Surfactant

The standard label recommendation is 1 quart of an 80% active nonionic spray surfactant per 100 gallons of water.

Nitrogen Source

Use a minimum of 5 quarts of urea ammonium nitrate (UAN: 28% to 34% nitrogen) per 100 gallons. Spray grade ammonium sulfate (AMS: 21% nitrogen) may be substituted for UAN at a minimum of 5 pounds per 100 gallons of spray mix. Use high-quality AMS (spray grade) to avoid plugging of nozzles. When using AMS, dissolve **Distinct** in the tank before adding AMS. Because most nitrogen solutions are mildly corrosive to galvanized, mild steel, and brass spray equipment, rinse the entire spray system with water soon after use.

Table 2. Additive Rates

Additive	Rate Per 100 Gallons of Water
Nonionic Surfactant + Nitrogen Source	1 quart (0.25% volume/volume [v/v]) + 5 quarts of UAN (1.25% v/v) or 5 pounds of AMS

Compatibility Test for Mix Components

Add components in the following sequence using 2 teaspoons for each pound or 1 teaspoon for each pint of recommended label rate per acre.

- 1) **Water.** For 20 gallons per acre spray volume, use 3.3 cups (800 ml) of water. For other spray volumes, adjust rates accordingly. Use only water from the intended source at the source temperature.
- 2) **Products in PVA bags.** Cap the jar and invert 10 cycles.
- 3) **Water-dispersible products** (dry flowables, wettable powders, suspension concentrates, or suspo-emulsions). Cap the jar and invert 10 cycles.
- 4) **Water-soluble products** such as **Distinct® herbicide**. Cap the jar and invert 10 cycles.
- 5) **Emulsifiable concentrates.** Cap the jar and invert 10 cycles.
- 6) **Water-soluble additives** (AMS or UAN when applicable). Cap the jar and invert 10 cycles.
- 7) Let the solution stand for 15 minutes.
- 8) **Evaluate** the solution for uniformity and stability. The spray solution should not have free oil on the surface, or fine particles that precipitate to the bottom, or thick (clabbered) texture. If the spray solution is not compatible, repeat the compatibility test with the addition of a suitable compatibility agent. If the solution is then compatible, use the compatibility agent as directed on its label. If the solution is still incompatible, **DO NOT** mix the ingredients in the same tank.

IV. Mixing Order

- 1) **Water.** Begin by agitating a thoroughly clean sprayer tank 1/2 full of clean water.*
- 2) **Products in PVA bags.** Place any product contained in water-soluble PVA bags into the mixing tank. Wait until all water-soluble PVA bags have fully dissolved and the product is evenly mixed in the spray tank before continuing.
- 3) **Water-dispersible products** (dry flowables, wettable powders, suspension concentrates, or suspo-emulsions).
- 4) **Water-soluble products** such as **Distinct**.
- 5) **Emulsifiable concentrates.**
- 6) **Water-soluble additives** (nonionic surfactant, AMS, or UAN when applicable).
- 7) **Remaining quantity of water.**

Maintain constant agitation during application. For more information, refer to section **V. General Tank Mixing Information**.

*If the user prefers to fill the spray tank from a nurse tank containing an AMS product dissolved in water, this is acceptable. If this method is used, the AMS product must be totally dissolved before adding **Distinct**. **Distinct** must be thoroughly dissolved before adding additional products or additives. The user should verify that the AMS pre-mix water alternative is compatible with other tank mix components.

V. General Tank Mixing Information

Distinct is recommended to be used sequentially or tank mixed with other herbicides as part of a complete weed control program. Tank mix recommendations are for use only in states where the sequential or tank mix product and application site are registered. Refer to section **VII. Crop-specific Information** for more details and for specific tank mix restrictions. Local agricultural authorities may be a source of information when using other than BASF-recommended tank mixes. Read and follow the applicable restrictions and limitations and **Directions For Use** on all products involved in tank mixing. The most restrictive labeling applies to tank mixes.

Physical incompatibility, reduced weed control, or crop injury may result from mixing **Distinct** with other pesticides (fungicides, herbicides, insecticides, or miticides), additives, or fertilizers.

VI. General Restrictions and Limitations

- **Maximum seasonal use rate: DO NOT** apply more than a **total of 10 ounces of Distinct** (0.438 pound ai) per acre, per season.
- **DO NOT** apply if corn is more than 36 inches tall or within 15 days before tassel emergence, whichever comes first.
- **Restricted-entry Interval (REI): 24 hours.**
- **Preharvest Interval (PHI): DO NOT** apply within **32 days** of corn forage harvest. **DO NOT** apply within **72 days** of corn grain and stover harvest.
- Allow a minimum of **15 days** between **sequential applications of Distinct**.
- **Crop Rotation Restriction: DO NOT** plant any crops within **120 days** after the last application of **Distinct**, with the following exceptions. If at least 1 inch of rainfall or overhead irrigation is received following the last application of **Distinct** (less than or equal to 4 ounces per acre only), alfalfa, cereal grain crops, cotton, grain sorghum and soybeans may be planted following 30 days after the rainfall/irrigation event in all states except California. In the event of crop failure, corn can be replanted 7 or more days after application.

- **Rainfast period:** **Distinct® herbicide** is rainfast **4 hours** after application when used with recommended adjuvants according to section III. **Additives**.
- **DO NOT** apply to corn showing **injury** (leaf phytotoxicity or plant stunting) produced by any other prior herbicide applications because this injury may be enhanced or prolonged.
- **DO NOT** apply through any type of **irrigation** system.
- **DO NOT** treat irrigation ditches or water used for crop irrigation or domestic uses.
- This product cannot be used to **formulate** or reformulate any other pesticide product.
- **DO NOT** apply to areas where desirable legumes or broadleaf crops are present.
- **DO NOT** graze or harvest hay from treated areas.
- See **Noncrop Areas** section for **Restrictions and Limitations for Pasture and Rangeland Areas**.

Table 3. Crop-specific Restrictions and Limitations

Crop	Minimum Time From Application to Harvest (PHI) (days)	Maximum Rate Per Acre Per Application (ozs)	Maximum Rate Per Acre Per Season (ozs)	Livestock Grazing or Feeding
Field corn, forage	32	8	10	not permitted
Field corn, grain or stover	72	8	10	
Sweet corn, forage	32	4	6	
Sweet corn, grain or stover	72	4	6	
Noncrop areas	not permitted	6	10	

VII. Crop-specific Information

Corn

FIELD CORN GROWN FOR GRAIN, SEED, OR SILAGE AND POPCORN

Before applying **Distinct** to popcorn or seed corn, verify the selectivity of **Distinct** on the inbred line or popcorn hybrid with your local seed corn company (supplier). This precaution will help avoid potential injury of sensitive lines.

Refer to **Sweet Corn** section for use on sweet corn.

Application Rates and Timings: Corn

Distinct can be applied at the rates and growth stages listed in **Table 4** in all tillage systems (e.g., conventional, no tillage, reduced tillage).

• **Preplant Application in Reduced or No-till Corn**

Distinct can be applied up to 7 days before planting corn using rates of 4 to 6 ounces per acre. When planting into a legume sod, (e.g., alfalfa or clover), apply 6 to 8 ounces of **Distinct** per acre after 4 to 6 inches of regrowth. Allow at least 15 days before planting if using more than 6 ounces per acre. Adjuvants must be used with **Distinct** herbicide to achieve consistent weed control. Using crop oil with **Distinct** after crop emergence is not recommended as crop injury may result.

When using liquid fertilizer as the carrier, always pre-slurry **Distinct** in water before adding to fertilizer solutions. Add the **Distinct** slurry to the final complete fertilizer mixture. **DO NOT** add **Distinct** during the fertilizer mixing process. Always use good agitation while adding

the **Distinct** slurry to liquid fertilizers and maintain good agitation until sprayed. Conduct a compatibility test with all components when using liquid fertilizers as a carrier for **Distinct**. Use of sprayable fluid fertilizer as the carrier is not recommended for application of **Distinct** made after corn emergence.

• **Very Early Postemergence**

For very early postemergence applications (spike through 4 inches corn stage), use 4 ounces of **Distinct** per acre.

• **Early Postemergence**

For early postemergence applications (4 to 10 inches corn stage), use 6 to 8 ounces of **Distinct** per acre to provide knockdown and residual control through corn canopy closure. Early postemergence applications are recommended to minimize weed competition and maximize corn yield potential.

• **Mid Postemergence**

For mid postemergence applications (10 to 24 inches corn stage), use 4 ounces of **Distinct** per acre.

• **Late Postemergence (Rescue) Application with Drop Nozzles**

Distinct may be applied to corn 24 to 36 inches tall when using drop nozzles. **DO NOT** make applications when corn is within 15 days of tassel emergence. Apply 4 ounces of **Distinct** per acre. Avoid direct application of spray into the whorl of corn plants or crop injury may occur.

• **Fall Application**

Following crop harvest and prior to a killing frost, apply 2 to 8 ounces of **Distinct** herbicide per acre to control emerged broadleaf weeds. For best performance, apply

Distinct® herbicide when weeds are in the 2- to 4-leaf stage or when rosettes are less than 2 inches across.

Any crop may be planted the following spring, 120 days after application in the fall. Refer to the **General Restrictions and Limitations** section for details on crop rotation restrictions within 120 days and maximum seasonal use rate.

• **Split Applications**

Split applications of **Distinct** may be made during a growing season. **DO NOT** exceed a total of 10 ounces of **Distinct** per treated acre per crop year. Allow a minimum of 15 days between sequential applications of **Distinct**.

Table 4. Application Rates and Timing in Field Corn and Popcorn

Application Timing	Corn Stage ¹	Rate of Distinct Per Acre
Preplant	At least 7 days before planting ²	4 to 8 ounces
Very Early Postemergence	Spike to 4 inches	4 ounces
Early Postemergence	4 to 10 inches	6 to 8 ounces ³
Mid Postemergence	10 to 24 inches	4 ounces
Late Postemergence Rescue	24 to 36 inches ⁴	4 ounces

¹Corn height is measured to the arch of the highest leaf that is more than 50% emerged.

²Allow at least 15 days before planting if using more than 6 ounces per acre.

³Use up to 8 ounces of **Distinct** per acre for enhanced perennial weed control or increased annual grass suppression.

⁴**DO NOT** make applications if corn is within 15 days of tassel emergence.

FIELD CORN TANK MIXES AND SEQUENTIAL USES

In addition to control of many broadleaf weed species, **Distinct** offers herbistatic suppression of several annual grasses that may enhance overall control of your grass herbicide program. For commercial control of grasses, **Distinct** should be used either as a sequential postemergence treatment following a preemergence grass herbicide (e.g., **Outlook® herbicide** or **G-MaxLite™ herbicide**) or in tank mix combination with a postemergence grass herbicide (e.g., **Accent® herbicide** or **Option® herbicide**).

Tank Mix Restrictions and Limitations

Distinct may be applied sequentially or in tank mixes with other herbicides registered for use in corn (including herbicides registered for use in corn hybrids tolerant to glyphosate, glufosinate, and imidazolinone) with the following limitations:

- When tank mixing **Distinct** for use on popcorn, ensure that the tank mix partner is registered for use in popcorn.
- When tank mixing **Option**, a methylated seed oil (MSO), at the rate of 1.5 pints per acre, may be used in place of a nonionic surfactant.
- Postemergence applications of **Distinct** are not recommended for use in tank mixes with plant growth regulating herbicides such as those products that contain dicamba, 2,4-D, or clopyralid (e.g., **Banvel® herbicide**, **Celebrity® Plus herbicide**, **Clarity® herbicide**, **Marksman® herbicide**, **NorthStar®**, **Weedone® 64**, **Shotgun®**, and **Hornet® herbicide**). Additionally, sequential treatments with these products should be separated by at least 15 days.
- Tank mixes with emulsifiable concentrate (EC) formulations of chloroacetamide grass herbicides (e.g., **Dual II Magnum®**, **Harness®**, **Outlook® herbicide**, or **Surpass®**) are not recommended after corn emergence. **Distinct** may be used sequentially with all soil-applied insecticides or used sequentially or in tank mixes with foliar-applied insecticides with the following limitations:
- **Distinct** is not recommended for use in foliar-applied tank mixes with **Lorsban®** or **Ambush® EC insecticides**. However, sequential treatments with these products may be used if applications are separated by at least 7 days.

Cotton

Preplant Rates and Timing

Apply 2 ounces to 4 ounces of **Distinct** per acre to control emerged broadleaf weeds prior to planting cotton. For best performance, apply **Distinct** when weeds are in the 2-leaf to 4-leaf stage or when rosettes are less than 2 inches across.

Following an application of **Distinct** and a minimum accumulation of 1-inch rainfall or overhead irrigation, a waiting interval of 30 days is required. This interval must be observed prior to planting cotton or crop injury may occur. **DO NOT** make **Distinct** preplant applications to cotton in geographic areas with average rainfall less than 25 inches.

DO NOT apply preplant to cotton west of the Rockies.

DO NOT exceed 4 ounces per acre in a spring application prior to planting cotton.

DO NOT apply additional dicamba-containing products (e.g., **Banvel**, **Clarity**) in either a tank mixture or sequentially in the same spring season.

Fall Application

Following crop harvest and prior to frost, apply 2 to 8 ounces of **Distinct® herbicide** per acre to control emerged broadleaf weeds. For best performance, apply **Distinct** when weeds are in the 2- to 4-leaf stage or when rosettes are less than 2 inches across.

Any crop may be planted the following spring, 120 days after application in the fall. Refer to the **General Restrictions and Limitations** section for details on crop rotation restrictions within 120 days and maximum seasonal use rate.

Soybean

Preplant Rates and Timing

Apply 2 ounces to 4 ounces of **Distinct** per acre to control emerged broadleaf weeds prior to planting soybeans. For best performance, apply **Distinct** when weeds are in the 2-leaf to 4-leaf stage or when rosettes are less than 2 inches across.

Following an application of **Distinct** and a minimum accumulation of 1-inch rainfall or overhead irrigation, a waiting interval of 30 days is required. This interval must be observed prior to planting soybeans or crop injury may occur. **DO NOT** make **Distinct** preplant applications to soybeans in geographic areas with average rainfall less than 25 inches.

DO NOT apply preplant to soybeans in California.

DO NOT exceed 4 ounces per acre in a spring application prior to planting soybeans.

DO NOT apply additional dicamba-containing products (e.g., **Banvel® herbicide**, **Clarity® herbicide**) in either a tank mixture or sequentially in the same spring season.

Fall Application

Following crop harvest and prior to frost, apply 2 to 8 ounces of **Distinct** herbicide per acre to control emerged broadleaf weeds. For best performance, apply **Distinct** when weeds are in the 2- to 4-leaf stage or when rosettes are less than 2 inches across.

Any crop may be planted the following spring, 120 days after application in the fall. Refer to the **General Restrictions and Limitations** section for details on crop rotation restrictions within 120 days and maximum seasonal use rate.

Sweet Corn

Use in sweet corn not permitted in California unless otherwise directed by supplemental labeling.

Apply 2 to 4 ounces of **Distinct** per acre for suppression of broadleaf weeds listed in the **General Weed List** table in the **Direction For Use**. Make applications when weeds are less than 3 inches tall and when sweet corn is from

4 to 24 inches tall. For improved spray coverage of weeds and to minimize risk of crop injury, use drop nozzles that direct the spray away from the whorls and beneath the leaves of sweet corn that is greater than 10 inches tall. Use only a nonionic surfactant at a rate of 0.25% v/v (1 quart per 100 gallons) as the spray additive when applying this product on sweet corn.

Restrictions and Limitations

DO NOT apply to sweet corn without first verifying with your local seed supplier the selectivity of **Distinct** on your specific hybrid.

DO NOT use **Distinct** on sweet corn grown for seed production.

If sequential applications are used, applications must be separated by a minimum of 2 weeks and must not exceed a total of 6 ounces per acre per season. Sweet corn ears or forage may be harvested at 32 or more days after application.

DO NOT apply within 72 days of dry grain or stover harvest.

Tank Mixes

Distinct may be tank mixed with atrazine, **Basagran® herbicide** or **Laddok® S-12 herbicide** for improved broadleaf weed control in sweet corn. Tank mixtures with other herbicides or insecticides are not recommended when using this product in sweet corn.

Wheat (Winter and Spring)

Preplant Rates and Timing

Apply 2 ounces to 4 ounces of **Distinct** per acre to control emerged broadleaf weeds prior to planting wheat. For best performance, apply **Distinct** when weeds are in the 2-leaf to 4-leaf stage or when rosettes are less than 2 inches across.

Following an application of **Distinct** and a minimum accumulation of 1-inch rainfall or overhead irrigation, a waiting interval of 30 days is required. This interval must be observed prior to planting winter wheat or crop injury may occur.

DO NOT apply preplant to wheat in California.

DO NOT exceed 4 ounces per acre in a preplant application prior to planting wheat.

DO NOT apply additional dicamba-containing products (e.g., **Banvel**, **Clarity**) in either a tank mixture or sequentially in the same preplant season.

Noncrop Areas

FALLOW AREAS, FENCE LINES AND RIGHTS-OF-WAY

Distinct may be applied to noncrop areas such as fallow areas, fence lines, utility, railroad and pipeline rights-of-way and other noncrop areas. **DO NOT** apply to areas that

include desirable grass species as injury may occur. **Distinct® herbicide** may be applied for the control of certain weeds in noxious weed control programs, districts or areas using broadcast or spot treatments.

Application Rates and Timing for Fallow Areas, Fence Lines and Rights-of-way

Use 4 to 6 ounces of **Distinct** per acre. The 6-ounce rate is recommended for enhanced suppression and/or control of perennial weed species. Apply to actively growing weeds.

Refer to Table 1. General Weed List, Including ALS-resistant and Triazine-resistant Biotypes.

Tank Mixes and Sequential Uses for Fallow Areas, Fence Lines and Rights-of-way

Other registered products, such as **Paramount® herbicide**, may be tank mixed with **Distinct**. Read and follow the applicable **Restrictions and Limitations** and **Directions For Use** on all products involved in tank mixing. The most restrictive labeling applies to tank mixes. When tank mixing with **Paramount**, always include an MSO at the rate of 1.5 pints per acre in place of a non-ionic surfactant.

PASTURE AND RANGELAND AREAS

Distinct may be used in pasture and rangeland sites for postemergence broadleaf weed control. **Distinct** may be used alone or in combination with other pasture- or rangeland-labeled herbicides to enhance the control of perennial weeds or complement the spectrum of weeds controlled. Read and follow all **Directions For Use, Restrictions and Limitations**, and registered use sites for the appropriate tank mix partner. When using a tank mix partner, the most restrictive label applies.

DO NOT apply **Distinct** to small grains grown for pasture or to newly seeded grasses. Established grasses growing under environmental stresses can exhibit various injury symptoms that may be more pronounced if herbicides are applied. **Distinct** may injure bentgrass, carpetgrass, buffalograss, St. Augustinegrass, tall fescue, and velvetgrass. **Distinct** will severely injure alfalfa, clovers, lespedeza, wild winter peas, vetch and other legumes.

Pasture and rangeland grass treated with **Distinct** can be grazed or harvested for livestock feed immediately after application.

Aerial Application Methods and Equipment

Use 2 or more gallons of water per acre. Select nozzles designed to produce minimal amounts of fine spray particles. The actual minimum spray volume per acre is determined by the spray equipment used. Use adequate spray volume to provide accurate and uniform distribution of spray particles over the treated area and to avoid spray drift. Make aerial applications at the lowest safe height to reduce exposing the spray to evaporation and wind.

Managing spray drift from aerial applications

Applicators must follow these requirements to avoid off-target drift movement:

- **Boom length.** The distance of the outermost nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
- **Nozzle orientation.** Nozzles must always point backward parallel with the airstream and never be pointed downward more than 45 degrees.
- **Application height.** Without compromising aircraft safety, applications should be made at a height of 10 feet or less above the crop canopy or tallest plants. Applicators must follow the most restrictive use cautions to avoid drift hazards, including those found in this labeling as well as applicable state and local regulations and ordinances.

Restrictions and Limitations for Pasture and Rangeland Areas

- **Rainfast period.** **Distinct** is rainfast **4 hours** after application when used with recommended adjuvants according to **Rates and Additives**.
- **DO NOT** apply through any type of **irrigation** system.
- This product cannot be used to **formulate** or reformulate any other pesticide product.
- Pasture and rangeland grass treated with **Distinct** can be grazed or harvested for livestock feed immediately after application.
- **Crop rotation restriction. DO NOT** plant any crops within 30 days after the last application of **Distinct**.
- **Agricultural use sites. Restricted-entry Interval (REI) is 24 hours.**
- **Noncropland use sites. DO NOT** enter treated areas without protective clothing until sprays have dried.

Rates and Additives

Use 4 to 8 ounces of **Distinct** per acre. Use higher rates when treating large annual and biennial weeds or when treating perennial weeds. A maximum of 8 ounces of **Distinct** can be applied per season per treated acre in pasture, hay, and rangeland sites.

Site-specific Rate Limitations for Distinct

Site	Maximum Rate Per Acre Per Application	Maximum Rate Per Acre Per Season
Pasture, Hay, and Rangeland	8 ozs (0.35 lb ae)	8 ozs (0.35 lb ae)

Adjuvants must be used with **Distinct** to achieve consistent weed control.

Nonionic Surfactant

The standard label recommendation is 1 quart of an 80% active nonionic spray surfactant per 100 gallons of water. For improved weed control, add spray-grade ammonium sulfate (AMS: 21% nitrogen) at a minimum of 5 pounds per 100 gallons of spray mix. Use high-quality AMS (spray-grade) to avoid plugging nozzles. When using AMS, dissolve **Distinct** in the tank before adding AMS.

OR

For Pasture and Rangeland

Methylated Seed Oil

Methylated vegetable-based seed oil concentrate may be used at the rate of 1.5 to 2 pints per acre. When using spray volumes greater than 30 gallons per acre, methylated seed oil or vegetable-based seed oil concentrates should be mixed at a rate of 1% of the total spray volume. Methylated seed oils may aid in deposition and uptake of **Distinct® herbicide** for hard-to-control perennials, waxy leaf species or when plants are under moisture or temperature stress.

Pests Listed in This Label

Common Name	Scientific Name
Alfalfa	<i>Medicago sativa</i>
Amaranth, Palmer	<i>Amaranthus palmeri</i>
, Spiny	<i>Amaranthus spinosus</i>
Barnyardgrass	<i>Echinochloa crus-galli</i>
Beggarweed, Florida	<i>Desmodium tortuosum</i>
Bindweed, Field	<i>Convolvulus arvensis</i>
, Hedge	<i>Calystegia sepium</i>
Buckwheat, Wild	<i>Polygonum convolvulus</i>
Buffalobur	<i>Solanum rostratum</i>
Burcucumber	<i>Sicyos angulatus</i>
Carpetweed	<i>Mollugo verticillata</i>
Clover, White	<i>Trifolium repens</i>
Cocklebur, Common	<i>Xanthium strumarium</i>
Croton, Tropic	<i>Croton glandulosus</i>
Dandelion, Common	<i>Taraxacum officinale</i>
Devil's Claw	<i>Proboscidea louisianica</i>
Dock, Broadleaf	<i>Rumex obtusifolius</i>
, Curly	<i>Rumex crispus</i>
Dogbane, Hemp	<i>Apocynum cannabinum</i>
Foxtail, Giant	<i>Setaria faberi</i>
, Green	<i>Setaria viridis</i>
, Yellow	<i>Setaria glauca</i>
Horsenettle, Carolina	<i>Solanum carolinense</i>
Jimsonweed	<i>Datura stramonium</i>
Johnsongrass, Seedling	<i>Sorghum halepense</i>
Knapweed, Spotted	<i>Centaurea maculosa</i>
Knotweed, Prostrate	<i>Polygonum aviculare</i>
Kochia	<i>Kochia scoparia</i>
Ladysthumb	<i>Polygonum persicaria</i>
Lambsquarters, Common	<i>Chenopodium album</i>
Mallow, Venice	<i>Hibiscus trionum</i>
Marestail (Horseweed)	<i>Conyza canadensis</i>
Milkweed, Common	<i>Asclepias syriaca</i>
, Honeyvine	<i>Ampelamus albidus</i>
Morningglory, Entireleaf	<i>Ipomoea hederacea</i> var. <i>integriuscula</i>
, Ivyleaf	<i>Ipomoea hederacea</i> var. <i>hederacea</i>
, Pitted (Small White)	<i>Ipomoea lacunosa</i>
, Smallflower	<i>Jacquemontia tamnifolia</i>
, Tall (Common)	<i>Ipomoea purpurea</i>
Nightshade, Black	<i>Solanum nigrum</i>
, Eastern Black	<i>Solanum ptycanthum</i>
, Hairy	<i>Solanum sarrachoides</i>
, Silverleaf	<i>Solanum elaeagnifolium</i>

Pests Listed in This Label *(continued)*

Common Name	Scientific Name
Panicum, Fall	<i>Panicum dichotomiflorum</i>
Pigweed, Palmer	<i>Amaranthus palmeri</i>
, Prostrate	<i>Amaranthus blitoides</i>
, Redroot	<i>Amaranthus retroflexus</i>
, Rough	<i>Amaranthus retroflexus</i>
, Smooth	<i>Amaranthus hybridus</i>
, Spiny	<i>Amaranthus spinosus</i>
, Tumble	<i>Amaranthus albus</i>
Plantain, Broadleaf	<i>Plantago major</i>
Pokeweed	<i>Phytolacca americana</i>
Potato, Volunteer	<i>Solanum tuberosum</i>
Purslane, Common	<i>Portulaca oleracea</i>
Ragweed, Common	<i>Ambrosia artemisiifolia</i>
, Giant	<i>Ambrosia trifida</i>
Sesbania, Hemp	<i>Sesbania exaltata</i>
Shattercane	<i>Sorghum bicolor</i>
Shepherdspurse	<i>Capsella bursa-pastoris</i>
Sicklepod	<i>Cassia obtusifolia</i>
Sida, Prickly (Teaweed)	<i>Sida spinosa</i>
Signalgrass, Broadleaf	<i>Brachiaria platyphylla</i>
Smartweed, Pennsylvania	<i>Polygonum pennsylvanicum</i>
, Swamp	<i>Polygonum coccineum</i>
Smellmelon	<i>Cucumis melo</i>
Sowthistle, Annual	<i>Sonchus oleraceus</i>
, Perennial	<i>Sonchus arvensis</i>
Spurge, Prostrate	<i>Euphorbia humistrata</i>
Sunflower, Volunteer	<i>Helianthus annuus</i>
, Wild (Common)	<i>Helianthus annuus</i>
Thistle, Canada	<i>Cirsium arvense</i>
, Russian	<i>Salsola iberica</i>
Velvetleaf	<i>Abutilon theophrasti</i>
Waterhemp, Common	<i>Amaranthus rudis</i>
, Tall	<i>Amaranthus tuberculatus</i>

Crops

This product can be used on the following crops:

- Field Corn**
- Popcorn**
- Cotton**
- Soybean**
- Sweet Corn**
- Wheat (Winter and Spring)**
- Noncrop Areas**

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Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

To the extent consistent with applicable law, BASF makes no other express or implied warranty of fitness or merchantability or any other express or implied warranty.

To the extent consistent with applicable law, Buyer's exclusive remedy and BASF's exclusive liability, whether in contract, tort, negligence, strict liability, or otherwise, shall be limited to repayment of the purchase price of the product.

To the extent consistent with applicable law, BASF and the Seller disclaim any liability for consequential, special or indirect damages resulting from the use or handling of this product.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

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