

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

AUG 13 2002

Mr. Steven Rogosheske
Agriliance, LLC
P.O. Box 64089
St. Paul, MN 55164-0089

Subject: Agrisolutions 120 Herbicide
EPA Registration No. 9779-96
Your amended labeling submitted April 23, 2002

Dear Mr. Rogosheske:

The amended labeling referred to above is acceptable provided you adhere to the following conditions:

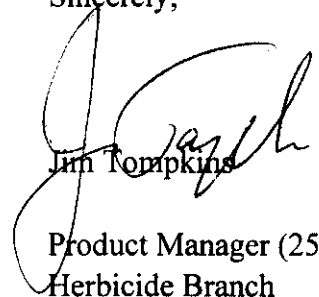
1. Make the following changes to your labeling:
 - a. In the first sentence of the "Swath Adjustment" section(p. 3), change "downward" to "downwind".
 - b. In the first SPECIFIED NON-BEARING TREES AND NON-BEARING GRAPE VINEYARDS section, in the last sentence of the first paragraph, change "It should be applied" to "Apply"
2. Submit two copies of final labeling of this labeling for this product.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

This labeling supercedes all previously accepted labeling for this product (except supplemental labeling). A stamped copy of the label is enclosed for your records.

If you have any questions about this letter, you may call Tobi Colvin-Snyder at 703-305-7801.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Tompkins", written over a printed name.

Jim Tompkins

Product Manager (25)
Herbicide Branch
Registration Division (7505C)



120 Herbicide

For control of weeds in or on cotton, non-bearing grape vineyards, lawn and ornamental turf, sod farms, non-bearing almond, apple, apricot, cherry, citrus, peach, pear, plum, prune trees, and non-crop areas

Contains 6.6 pounds of MSMA per gallon without surfactant

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

ACTIVE INGREDIENT	
Monosodium acid methanearsonate*	51.0%
INERT INGREDIENTS	49.0%
TOTAL	100.0%

AUG 13 2002

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

9779-96

Total arsenic (as elemental) all in water soluble form 23.7%
*Product contains 6.6 pounds of MSMA per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION

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 give anything by mouth to an unconscious person. Do not induce vomiting unless told to by a poison control center or doctor.

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. Call a poison control center or doctor for treatment advice.

IF ON SKIN: 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 mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

For additional information in case of emergency call toll free 1-877-424-7452.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled, or absorbed through skin. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

Personal Protective Equipment (PPE):

Applicators and other handlers (other than mixers and loaders) must wear long-sleeved shirt and long pants, waterproof gloves, and chemical-resistant footwear plus socks. For exposures outdoors, use a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P or HE filter. For exposures in enclosed areas, use a respirator with either an organic-vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter.

Mixers and Loaders must wear long-sleeved shirt and long pants, waterproof gloves, chemical-resistant footwear plus socks, protective eyewear, and chemical-resistant apron when mixing or loading. For exposures outdoors use a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P or HE filter. For exposures in enclosed areas, use a respirator with either an organic-vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter.

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

Read Additional PRECAUTIONARY STATEMENTS.

EPA Reg. No. 9779-96

EPA Est. No.

Distributed By
Agrilience, LLC
P.O. Box 64089, St. Paul, MN 55164-0089

NET CONTENTS

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USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 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

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 apply when weather conditions favor drift from target areas. Do not contaminate water when disposing of equipment washwaters. Do not contaminate waters used for domestic consumption or by animals, wildlife, and aquatic life, or water for irrigation purposes.

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 through any type of irrigation system.

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 regulations.

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 12 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, waterproof gloves, chemical-resistant footwear plus socks.

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. The requirements in this box apply to uses of this product on lawns and ornamental turf and non-crop areas.

Keep unprotected persons and pets out of treated areas until sprays have dried.

STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD, OR FEED BY STORAGE OR DISPOSAL

STORAGE

Store in a dry location away from children, animals, foods, feeds, seeds, and other agricultural chemicals. Handle in accordance with information given under PRECAUTIONARY STATEMENTS. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust, or other absorbent material. Scrape up and dispose of in accordance with information given under DISPOSAL. Repackage and relabel useable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to 800-424-9300.

DISPOSAL

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

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

GENERAL INFORMATION: 120 HERBICIDE is useful for selective post-emergent weed control, particularly for grassy weeds. Best results are obtained on young, actively growing weeds at air temperatures above 70°F.

MIXING INSTRUCTIONS: 120 HERBICIDE must be thoroughly mixed. Fill the spray equipment reservoir about half full with water and add the required amount of herbicide with agitation. Finish filling the reservoir with water and apply. After use, clean equipment thoroughly by flushing with water. Do not store spray solution in tanks for a prolonged period.

SPRAY DRIFT ADVISORY

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. The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

- 1) The distance of the outer most nozzles on the boom must not exceed $\frac{3}{4}$ the length of the wingspan or rotor.
- 2) Nozzles must always point backwards parallel with the air stream and never be pointed downwards more than 45 degrees. Where states have more stringent regulations, they should be observed. The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

AERIAL DRIFT REDUCTION ADVISORY INFORMATION

Information on Droplet Size

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- **Number of nozzles** - Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle Orientation** - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- **Nozzle Type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length

For some use patterns, reducing the effective boom length to less than $\frac{3}{4}$ of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment

When applications are made with a crosswind, the swath will be displaced downward. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

Wind

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas

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

COTTON:

120 HERBICIDE is useful for control of many grasses and broadleaved weeds in cotton including, Bahiagrass, barnyardgrass, chickweed, crabgrass, cocklebur, Dallisgrass, foxtail, goosegrass, Johnsongrass, morningglory, nutsedge, pigweed, puncturevine, ragweed, sandbur, and watergrass.

912 HERBICIDE may be applied as follows:

Preplant or Postplant up to Cracking Application on Cotton: A single ground or aircraft application of 120 Herbicide can be made to prepared cotton seedbeds when planting has been delayed and weeds have emerged, or as a postplant treatment, BUT NO LATER THAN INITIAL CRACKING of soil in field before emergence of cotton. Planting of cotton may immediately follow the preplant application. Mix at the rate of 2½ pints of 120 Herbicide plus 1 quart of Activate Plus™ or other suitable surfactant in 40 gallons of water for broadcast ground application, or in 5 to 10 gallons of water for aircraft application and apply using a properly calibrated sprayer to one acre. The surfactant should be added to the total spray mix at manufacturer's recommended rate for type of application.

Postemergent, Over-the-Top, Application on Cotton: Application may be made using ground or aircraft equipment as an over-the-top broadcast spray to actively growing cotton as a salvage operation when cotton is 3 to 6 inches high or up to early first square stage, whichever occurs first. Mix 120 Herbicide at the rate of 1 to 1¼ pints plus manufacturer's recommended rate of a suitable surfactant in 40 gallons of water for ground application, or in 5 to 10 gallons of water for aircraft application and apply using a properly calibrated sprayer to one acre. The surfactant should be added to the total spray mix at manufacturer's recommended rate for type of application. A second or repeat application, if needed, should be made 1 to 3 weeks after the first treatment. APPLY AS AN OVER-THE-TOP BROADCAST SPRAY ONLY WHEN COTTON IS 3 TO 6 INCHES HIGH OR UP TO EARLY FIRST SQUARE STAGE, WHICHEVER OCCURS FIRST. DO NOT APPLY AS AN OVER-THE-TOP BROADCAST SPRAY AFTER COTTON IS MORE THAN 6 INCHES HIGH OR AFTER EARLY FIRST SQUARE STAGE, WHICHEVER OCCURS FIRST. DO NOT make more than two (2) applications total of either DSMA or MSMA (or a combination) per season.

Postemergent, Directed, Application on Cotton: Mix 120 Herbicide at the rate of 2½ pints plus manufacturer's recommended rate of suitable surfactant in 40 gallons of water for application as a direct broadcast spray to one acre when weeds are small using ground equipment. For band applications, apply 1 gallon of the above diluted spray per acre for each 1-inch band width to be treated of cotton grown on 10-inch row spacing. Keep spray off cotton foliage. APPLY ONLY WHEN COTTON IS 3 INCHES HIGH TO FIRST BLOOM. DO NOT APPLY AFTER FIRST BLOOM. DO NOT make more than two (2) applications total of either DSMA or MSMA (or a combination) per season.

Slight burning and a reddish discoloration of the cotton leaves may occasionally occur following the recommended treatment, but the cotton plant will develop normally.

Special Precautions: DO NOT allow spray or spray drift to contact adjacent crops or injury will result. Apply only on still-days when weather conditions DO NOT favor drift from areas being treated. Aircraft applications of 120 Herbicide should only be made by applicators experienced in the use of herbicides, and applications should be made in accordance with state and Federal regulations.

Note: Do not feed treated foliage to livestock or graze treated fields.

SPECIFIED NON-BEARING TREES AND NON-BEARING GRAPE VINEYARDS:

120 HERBICIDE is useful as a directed application in non-bearing grape vineyards and in non-bearing deciduous fruit, nut and citrus orchards, for the following crops: almond, apple, apricot, cherry, grapefruit, lemon, lime, orange, peach, pear, plum, prune, and tangerine orchards. For this label, the term "non-bearing" is defined as a crop which is not expected to bear fruit for at least one year. It should be applied at the rate of 1/3 to 1/2 gallon per acre.

Mix 120 HERBICIDE at the rate of 1/3 gallon plus 1 quart Activate Plus, or a comparable surfactant cleared by EPA for use on these crops in 50 gallons of water. Apply as a directed spray in interspaces and around bases of trees or vines. Spray unwanted vegetation to just short of run-off. If regrowth occurs, reapply as required. However, do not exceed 3 applications per year.

Do not allow spray solution to contact leaves, stems, or bark. Use a shield, if necessary, for nursery plantings or young trees. Do not apply around trees or vines from which fruit will be harvested within one year of treatment.

LAWN AND ORNAMENTAL TURF:

120 HERBICIDE is useful for the control of Dallisgrass, sandbur, bahiagrass, nutsedge, barnyardgrass, chickweed, and wood sorrel with little or no injury to good lawn grasses. On new lawns, do not treat until after three mowings. Good grasses may be temporarily discolored. Zoysia, bluegrass, and bermuda are quite tolerant. Do not use on St. Augustine or centipede. Mow lawns 1 to 1 1/2 inches high before treatment. Mix 1 fluid ounce (2 tablespoons) of 120 HERBICIDE and 1/2 fluid ounce (1 tablespoon) of Activate Plus or a comparable surfactant in 1 to 5 gallons of water and apply to an area of 1,000 square feet. Spray thoroughly to wet all undesirable plants. Repeat applications, 10 to 14 days apart, may be needed for good control. Do not make more than three (3) applications per year. Do not apply with hose-end applicators.

SOD FARMS:

Apply to healthy bermuda and zoysia grass grown for sod. Apply at the rate of 2 quarts per acre (1.5 fluid ounces per 1000 square feet). To the spray tank add Activate Plus or a comparable surfactant at the rate of 1 quart per 100 gallons of spray solution. Do not treat newly sprigged areas until after three mowings. Repeat applications, 10 to 14 days apart, may be needed to control perennial weeds. Do not apply to centipede or St. Augustine grass. Do not make more than three (3) applications per year.

NON-CROP:

120 HERBICIDE is useful for controlling crabgrass, cocklebur, dallisgrass, goosegrass, Johnsongrass, morningglory, nutsedge, pigweed, ragweed, watergrass, and similar weeds on drainage ditchbanks, rights-of-way, and storage yards.

Mix 120 HERBICIDE at the rate of 2 quarts plus 1 quart Activate Plus, or a comparable surfactant in 50 gallons of water. Spray the unwanted vegetation thoroughly to the point of run-off. Any spray equipment that gives good coverage may be used. If regrowth occurs, retreat as required. Do not make more than five (5) applications per year.

Activate Plus™ is a registered Trademark of Agrilience, LLC

Notice of Warranty

Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, NOR IS ANY REPRESENTATIVE OF SELLER AUTHORIZED TO MAKE ANY SUCH WARRANTY OR MODIFY THESE TERMS. This warranty does not extend to the storage, handling or use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller, and Buyer assumes the risk of any such storage, handling or use. Seller shall not be responsible for incidental or consequential damages, if any, resulting from a breach of warranty.