

10404-43

4.10.2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. John M. Olzinger
Product Registration
LESCO, Inc.
1301 East Ninth Street, Suite 1300
Cleveland, OH 44114-1849

APR 10 2008

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Warranty Statement Changes
EPA Reg. No. 10404-43
Application Dated March 24, 2008

Dear: Registrant,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 03/24/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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Phone: 216.706.9250*
800.321.5325
www.lesco.com

March 24, 2008

Ms. Joanne Miller, PM 23
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

SUBJECT: Notification for
LESCO Three-Way Selective Herbicide, EPA Reg. 10404-43

Dear Ms. Miller:

Enclosed please find Notification for your review and acceptance to address the following:

- Warranty & Disclaimer Statement – updated to bring into compliance with Agency ‘Guidance on Warranty Statements’ dated 10/17/07
- Hot Line Number Contact – correct spelling of Chem-Trec to Chemtrec

The following documentation is provided in support of the above:

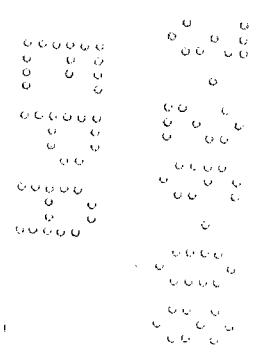
- 8570-1
- One (1) highlighted label noting the above actions
- Five (5) copies of the clean label

If you have any questions, or require further clarification, please feel free to contact me at jolzinger@lesco.com or 216-706-9250 ext 2207.

Thank you for your assistance.

John M. Olzinger
Manager, Regulatory Affairs

Enclosures





United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

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Application for Pesticide - Section I

1. Company/Product Number 10404-43	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) LESCO Three-Way Selective Herbicide	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) LESCO, Inc. 1301 East 9th Street, Suite 1300 Cleveland, OH 44114-1849 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification: W & D language per Agency Guidance dated 10/17/06
 This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formulation of this product. I understand that it is a violation of 18.U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
					<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name John M. Olzinger	Title Manager, Regulatory Affairs	Telephone No. (Include Area Code) 216-706-9250 ext 2207
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Regulatory Affairs	
4. Typed Name John M. Olzinger	5. Date 3/24/88	

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LESCO®

Three-Way Selective Herbicide

Selective Broadleaf Weed Control for Turfgrasses including for use on Sod Farms

Controls Clover, Dandelion, Henbit, Plantains, Wild Onion, and Many Other Broadleaf Weeds. Also for Highways, Rights-of-Way and Other Similar Non-Crop Areas.

FOR USE BY PROFESSIONAL TURF MAINTENANCE PERSONNEL, LANDSCAPING OR COMMERCIAL APPLICATORS ONLY. NOT FOR SALE TO OR USE BY HOMEOWNERS.

(CONTAINS 2,4-D, MECOPROP-p and DICAMBA)

KEEP FROM FREEZING

ACTIVE INGREDIENTS:

- Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid* 30.56%
- Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid**‡ ... 8.17%
- Dimethylamine Salt of Dicamba (3,6-Dichloro-o-anisic Acid)*** 2.77%

OTHER INGREDIENTS: 58.50%

TOTAL 100.00%

Isomer Specific Method, Equivalent to:

- *2,4-Dichlorophenoxyacetic Acid 25.38%, 2.38 lbs/gal
- **(+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid 6.75%, 0.63 lbs/gal
- ***3,6-Dichloro-o-anisic Acid 2.30%, 0.22 lbs /gal

‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p.

KEEP OUT OF REACH OF CHILDREN
DANGER – PELIGRO
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 BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

FIRST AID	
If in eyes	<ul style="list-style-type: none"> • 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 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.

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 Chem-Free Chemtrec at 1-800-424-9300 for emergency medical treatment information.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER – PELIGRO**

Corrosive; causes irreversible eye damage. Do not get in eyes, or on skin or clothing. Harmful if swallowed or inhaled. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. If this container is more than 1 gallon and less than 5 gallons, then persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron. If this container is five gallons or more in capacity, do not open pour product from this container. A mechanical system (such as a probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are Barrier Laminate, Viton ≥14 mils. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

- All mixers, loaders, applicators, flaggers and other handlers must wear:
- Long-sleeved shirt and long pants
 - Shoes plus socks,
 - Protective eyewear
 - Chemical-resistant gloves when applying with any handheld nozzle or equipment, mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.
 - Chemical-resistant apron when mixing, loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.
 - For overhead exposure wear chemical-resistant headgear.

See engineering controls for additional requirements and exceptions.

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 Statements: If this container is five gallons or more in capacity, do not open pour product from this container. A mechanical system (such as a probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal. If the mechanical system is used 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.

When handlers use closed systems or enclosed cabs, 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.

User Safety Recommendations

Users should wash hands, before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water. Users should 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 product is toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift or runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not apply when weather conditions favor drift from target area. Clean and rinse spray equipment using soap or detergent and water, and rinse thoroughly before reuse for other spraying. When cleaning equipment, do not pour the washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not contaminate water when disposing of equipment washwaters or rinsate. Do not contaminate domestic or irrigation waters.

The chemical 2,4-D has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

Most cases of groundwater contamination involving phenoxy herbicides, such as 2,4-D and MCPP-p, have been associated with mixing/loading and disposal sites. Caution should be exercised when handling these herbicides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

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.
USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

NOTE: Do not apply this product by air. Apply with ground equipment only. 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 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 apply only 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 48 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
- chemical-resistant gloves made of any waterproof material
- shoes plus socks
- protective eyewear

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

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. For Turf use, do not allow people

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(other than applicator) or pets on treatment area during application. Do not enter or allow people (or pets) to enter the treated area until sprays have dried.

THREE-WAY SELECTIVE HERBICIDE is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields and Golf Courses (Fairways, Aprons, Tees and Roughs) and similar turf areas. Also for use on Sod Farms. For turf use, the maximum number of broadcast applications per treatment site is 2 per year. Product should not be used in or near greenhouses.

USE PRECAUTIONS

Avoid mist to vegetables, flowers, ornamentals, shrubs, trees, and other desirable plants. Do not pour spray solutions near these plants. Do not spray on carpetgrass, dichondra nor on lawns or turf where desirable clovers are present. Avoid fine mists. Except as noted, use only lawn-type sprayers. Coarse sprays are less likely to "wind-drift". Use coarse spray droplets. Do not spray roots of ornamentals and trees. Do not exceed specified dosages for any area; be particularly careful within the dripline of trees and other species. Do not apply to newly seeded grasses until well established. Avoid broadcast applications when air temperature exceeds 90 degrees. When using small, spot treatment applications in temperatures over 90 degrees, turf injury may occur.

When treating Carpetgrass, avoid broadcast applications when air temperature exceeds 80 degrees. When air temperatures exceed 80 degrees, limit application to spot treatment only.

Apply only to dormant St. Augustine (Common, Raleigh and Seville varieties grown in Texas, Louisiana, Mississippi only) and dormant Centipede grasses (Texas, Louisiana, Mississippi only).

Avoid applying during excessively dry or hot periods unless irrigation is used. For optimum results: (1) turf should not be mowed for 1 to 2 days before and after application; (2) do not apply if rain is expected within 4 hours after the application, delay irrigation cycle for 24 hours. Reseed no sooner than three to four weeks after application of this product. Failure to observe all precautions may result in injury to turf and/or susceptible plants.

THREE-WAY SELECTIVE HERBICIDE can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizer and liquid iron differ in pH, free ammonia content, density, salt concentration and percentage of water, a compatibility test is recommended prior to mixing in application equipment. All regulations, either State or Federal, relating to the application of liquid fertilizers or liquid iron and this product must be strictly followed.

Weeds Controlled

- | | | |
|-------------|---------------|------------------|
| Bedstraw | Henbit | Purslane |
| Black Medic | Knotweed | Ragweed |
| Buckthorn | Lambsquarter | Sheep Sorrel |
| Burdock | Lespedeza | Shepherd's Purse |
| Chicory | Mallow | Speedwell |
| Chickweed | Morning Glory | Spurge |
| Clover | Peppergrass | Wild carrot |
| Dandelion | Pigweed | Wild garlic |
| Dock | Plaintain | Wild lettuce |
| Ground Ivy | Poison Ivy | Wild onion |
| Heal-All | Poison Oak | Yarrow |
- and other broadleaf weeds.

ORNAMENTAL LAWNS & TURF

Site	Use Rate (Fluid Ounces) Per 1,000 Sq Ft	Spray Volume (Gallons) Per 1,000 Sq Ft	Use Rate (Pints) Per Acre	Spray Volume (Gallons) Per Acre	Use Directions Normal Applications
Bahiagrass, Bluegrass, Common Bermudagrass, Fescue, Ryegrass Zoysiagrass	1.1 to 1.5	0.5 to 5	3 to 4	5 to 220	<p>For Professional Lawn Maintenance – Higher water volumes may be used when tank-mixed with a turf fertilizer. Follow fertilizer labels for proper amounts to add.</p> <p>Use reduced rates if grass is stressed from heat or drought. Exercise care when applying during growth stages from dormancy to green-up and from green-up to dormancy. Some temporary discoloration may occur on warm season grasses.</p> <p>If Bermudagrass is dormant, up to 4 pints per acre may be used. However, some hybrid Bermudagrasses may be sensitive to this product. Contact your local extension service weed control specialist.</p>
Dormant St. Augustine (Common, Raleigh and Seville varieties grown in Texas, Louisiana, Mississippi only). Dormant Centipede grasses (Texas, Louisiana, Mississippi only).	0.75 to 0.90 Maximum	1 to 5	2 to 2.5 Maximum	40 to 200	<p>Use reduced rates if grass is stressed from heat or drought. Exercise care when applying during growth stages from dormancy to green-up and from green-up to dormancy. Some temporary discoloration may occur on warm season grasses.</p>
Bentgrass (Putting and Bowling Greens)	0.67 Maximum	3.3	1.8 Maximum	145	<p>Apply on closely mowed Bentgrass, preferably in May or mid-August through September. Slight turf yellowing will disappear after about one week.</p> <p>On closely mowed golf course fairways and tees or bowling greens – apply when weeds are actively growing and temperatures are low. Exercise care to avoid over application to prevent injury. Temporary discoloration may occur.</p>

NOTE: Care should be taken to avoid overdosing Bentgrass or injury may result. Large volumes of spray water (i.e. one fluid ounce in 5 gallons of water per 1,500 square feet) will aid in obtaining uniform coverage. If hand-type sprayers are used, it is preferable to use a single nozzle sprayer rather than a multiple nozzle boom as sideways application with a boom where the spray from more than one nozzle is allowed to fall on the same area will result in heavy local over-application and subsequent turf discoloration or injury.

Ornamental Turf

Post-emergent application:

- Make no more than 2 applications per year
- Maximum application rate: 1.5 lb (4 pints) ae/acre (1.5 fl oz/1,000 sq ft) per application
- Maximum seasonal rate: 3.0 lb (8 pints) ae/acre, excluding spot treatments

Turf Grown for Seed/Sod: Make no more than 2 applications per year
Maximum 2.0 lb (5.33 pints) ae/acre per application
Minimum interval of 21 days between applications

NON-TURF AREAS

Roadsides (including aprons and guardrails), rights-of-way, and other similar non-crop areas: For control of broadleaf weeds, mix at a rate of 1.5 to 3.5 quarts of **Three-Way Selective Herbicide** per acre in enough water to wet all parts of the foliage. This may require 50 to 300 gallons of water per acre. This mixture will cover about one acre (43,560 sq ft). Thoroughly saturate all weeds with spray mixture. Apply any time between the time when plants come into full leaf (Spring) to when the plants begin to go dormant. Best results are obtained when weeds are young and actively growing. Do not cut weeds until herbicide has translocated throughout the plant causing root death. For small broadleaf weeds, use the lower rate. Heavy, dense stands require the higher rate with the high water volume. For small (spot) applications with small tank sprayers, apply at the rate of 4 fl oz of **Three-Way Selective Herbicide** per gallon of water and spray to thoroughly wet all foliage.

Annual/Perennial Control: Make no more than 2 applications per year
Maximum 2.0 lb ae/acre per application
Minimum interval of 30 days between applications

For control of woody plants, apply to both stems and foliage any time from the time foliage is completely matured until the time plants start to go dormant. All leaves, stems and suckers must be completely wet to the ground line for effective control. Regrowth may be anticipated on the more resistant species.

Woody Brush: Add 1 to 1.5 gallons of **Three-Way Selective Herbicide** per acre to wet all parts of the brush foliage, stem and bark. This may require up to 200 to 600 gallons of water per 43,560 sq ft depending upon the height and thickness of the brush. Mix thoroughly before spraying.

Woody Plant Control: Make no more than 1 application per year
Maximum 4.0 lb ae/acre

LOW VOLUME SPRAY APPLICATION EQUIPMENT

EQUIPMENT	APPLICATION	USE RATE		Use Directions
		Fluid Ounces per 1,000 Sq Ft	Pints per Acre	
Controlled Droplet applications (CDA), Atomizers and Spinning Disk Applicators	Cool season grasses	1.1 to 1.5	3 to 4	Use in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment). Do not overlap spray patterns.
	Listed warm season grasses	0.75 to 0.9	2 to 2.5	Use in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment); and follow CDA spray instructions for cool season grasses. Use reduced rates if grass is stressed from heat, drought, etc.
Lower Volume Equipment	Cool Season and Listed Warm Season Grasses	1.1 to 1.5	3 to 4	Use as little as 5 gallons of water per acre. Use only application equipment that is capable of spreading a uniform droplet, wetting each weed surfaces.

Three-Way Selective Herbicide will either kill, control or suppress the weeds listed in the label booklet for this product. Some of these species may require repeat spot applications even under ideal conditions for application.

SPRAY DRIFT MANAGEMENT

Do not apply this product in a way that will contact workers or other persons, either directly or through drift.

A variety of factors, including weather conditions (e.g. wind direction, wind speed, temperature, relative humidity) and method of application (e.g. ground, aerial, airblast, chemigation) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size: When applying sprays that contain 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a Coarse or coarser spray, apply only as a Coarse or coarser spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D mixed with other active ingredients that require a Medium or more fine spray, 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.

Wind Speed: Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for non-target species, non-target crops) within 250 feet downwind. If applying a Medium spray, leave one swath unsprayed at the downwind edge of the treated field.

Temperature Inversions: If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants: Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use, or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative state), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements: Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment: All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. Do not apply with a nozzle height greater than 4 feet above the crop canopy.

STORAGE AND DISPOSAL

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

Your local government may forbid liquids and pesticides in their landfills.

Pesticide Storage: Always use original container to store pesticides in a secured warehouse or storage building. Store at temperatures above 32 F. If allowed to freeze, remix before using. This does not alter the product. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed, or other pesticides.

Pesticide Disposal: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed, labeled container for proper disposal. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your state Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

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CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of LESCO, Inc. or seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold LESCO, Inc. harmless for any claims relating to such factors.

LESCO, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or LESCO, Inc., and the Buyer and User assume the risk of any such use. ~~LESCO, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.~~

In no event shall LESCO, Inc. or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. ~~THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF LESCO, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, USE OR HANDLING OF THIS PRODUCT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF LESCO, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.~~

~~LESCO, Inc. and Seller offer this product, and buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of LESCO, Inc.~~

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully and completely. It is impossible to eliminate all risks inherently associated with the use of this product. To the extent consistent with applicable law, Buyer and/or User assume all risks of ineffectiveness or other unintended consequences or damages that may result from conditions outside or beyond the control of LESCO, Inc. including but not limited to, such factors as manner of use or application, weather or weather conditions outside the range considered normal at the application site or for the time period in which the product is applied, the, presence of other materials, incompatible products, or other influencing factors which are beyond the control of LESCO, Inc.. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and/or User, and Buyer and/or User agrees to hold LESCO, Inc. harmless for any claims relating to such factors.

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