

62719-226

6/19/2003

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L1A / DAS Brush & Weed Herbicide / Amend (Residential) / 06-16-03

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Dow AgroSciences Brush & Weed Herbicide

Contains Hammer* Herbicide

For the control of woody plants, vines, and broadleaf weeds around homes, cabins, fences, walkways, and other non-crop areas.

This product is for outdoor residential use only.

Active Ingredient(s):	
triclopyr (3,5,6-trichloro-2-pyridinyloxyacetic acid), as the triethylamine salt	8.8%
Inert Ingredients	91.2%
Total	100.0%

Contains 6.36% Triclopyr acid - 0.6 lb/gallon.

ACCEPTED
~~with COMMENTS~~
In EPA Letter Dated

JUN 19 2003

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

62719-226

Keep Out Of Reach Of Children

CAUTION PRECAUCION

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

Refer to back/side panel for First Aid, Precautionary Statements and Directions for Use, Including Storage and Disposal.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-226

EPA Est. _____

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Dow AgroSciences LLC • Indianapolis, IN 46268, U.S.A.

Net Contents _____

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Precautionary Statements

Hazard to Humans and Domestic Animals**CAUTION****Causes Moderate Eye Irritation • Harmful If Swallowed**

Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling. Wear protective clothing such as a long-sleeved shirt, long pants, chemical-resistant gloves made of any waterproof material, and shoes and socks when applying this product.

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.

First Aid

If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

If swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

This chemical 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.

Directions for Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Storage and Disposal

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

Pesticide Storage: Store product in original container and keep out of reach of children. Store in a cool, dry place. Avoid contamination of food and foodstuffs.

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 or 1-800-992-5994 for disposal instructions. Never place unused product down any indoor or outdoor drain.

General Information

Dow AgroSciences Brush and Weed Herbicide is recommended for the control of unwanted woody plants, vines, and broadleaf weeds around homes, cabins, fences, walkways, and other non-crop areas.

General Use Precautions and Restrictions

- Do not use on or around edible food or food crops.
- Avoid contact with eyes or clothing during and after application.
- Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application.
- **Entry Restrictions:** Do not enter or allow others to enter the treated area until sprays have dried.
- Do not spray when the wind is blowing toward desirable plants.
- Do not apply this product directly to, or allow to drift to, grapes, vegetable crops, flowers, ornamentals, or other desirable foliage. Applications should be made when wind is low and there is little chance of spray drift.
- Do not apply with nozzles that produce a fine-droplet spray.
- Measuring utensils and spray equipment should not be reused for purposes other than herbicide application.

Woody Plants and Vines Controlled Include:

alder	dogwood	raspberry
Arkansas rose	elderberry	salmonberry
arrowwood	elm	sassafras
ash	hazel	scotch broom
aspen	honeysuckle	sumac
beech	hornbeam	sweetbay magnolia
birch	kudzu	sweetgum
blackberry	locust	sycamore
blackgum	madrone	tanoak
box elder	maples	thimbleberry
Brazilian pepper	mesquite	trumpet creeper
California rose	mimosa	tulip poplar
cascara	mulberry	Virginia creeper
ceanothus	oaks	western hemlock
cherry	persimmon	willow
chinquapin	pine	winged elm
choke cherry	poison ivy	wild grape
cottonwood	poison oak	wild rose
crataegus (hawthorn)	poplar	
Douglas fir		

Perennial Broadleaf Weeds Controlled Include:

bindweed	field bindweed	smartweed
burdock	field horsetail rush	spurge
Canada thistle	henbit	tansy ragwort
chicory	lambsquarter	vetch
clover	oxalis	wild lettuce
curly dock	plantain	wild violet
dandelion	ragweed	

Application Methods

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For best results, apply as a full coverage foliar spray when brush and weeds are fully leafed out and actively growing. Wilting or other symptoms will occur in 1 to 6 weeks. Apply only when the air is calm to prevent drift to desirable vegetation. Rainfall within 24 hours may reduce effectiveness.

Foliage Spray

Using a hose-end or tank sprayer, mix 8 to 16 tablespoons (4 to 8 fl oz) in enough water to make one gallon mixed spray. For mature or hard-to-control plants (such as ash, blackgum, choke cherry, elm, maple, oak, pine, or winged elm), or during drought conditions, use the highest rate of application indicated. Resprouting may occur in the year following treatment when lower rates are used. The addition of a surfactant (spreader/sticker) enhances herbicidal action and improves distribution of the spray on hard-to-wet plant surfaces. Apply at the rate of one gallon mixed spray to approximately 500 sq ft of area. Coverage may vary depending on the amount of foliage to be treated. Using coarse spray pattern and low pressure, apply as thorough foliage spray to wet all leaves. See **General Use Precautions and Restrictions**.

Stump Treatment

To kill stumps and prevent sprouting, apply the undiluted product with a paint brush or backpack sprayer to completely cover the freshly cut surface. Do not reuse paint brush. Wrap in several layers of newspaper and discard in trash.

Vine Control

When treating vines such as poison oak, poison ivy, etc. that grow on or around desirable plants, do not allow spray to contact desirable vegetation. Cut the vine first and treat as directed for stump treatment.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Seller's election, one of the following:

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

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Seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. In no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Terms and Conditions of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the Seller or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

*Trademark of Dow AgroSciences LLC
EPA-Accepted: / /

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(Base label):

Brush & Weed Herbicide

Contains Hammer* Herbicide

For the control of woody plants, broadleaf weeds and vines in forests and industrial non-crop areas, including manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, roadsides, railroads, fence rows, non-irrigation ditch banks, and around farm buildings including application to grazed areas and establishment and maintenance of wildlife openings on these sites, and in Christmas tree plantations. Use within production forests and industrial non-crop sites may include applications to control target vegetation in and around standing water sites, such as marshes, wetlands, and the banks of ponds and lakes.

This product is for non-residential use only.

Active Ingredient(s):	
triclopyr (3,5,6-trichloro-2-pyridinyloxyacetic acid), as the triethylamine salt	8.8%
Inert Ingredients	91.2%
Total	100.0%

Contains 6.36% triclopyr acid - 0.6 lb/gallon.

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Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION

Causes Moderate Eye Irritation • Harmful If Swallowed

Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves (≥ 14 mils) such as butyl rubber, natural rubber, neoprene rubber or nitrile rubber

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Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

Engineering Controls

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the WPS (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.
- 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.

First Aid

If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

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Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Under certain conditions, treatment of aquatic weeds can result in oxygen depletion or loss due to decomposition of dead plants, which may contribute to fish suffocation. This loss can cause fish suffocation. Therefore, to minimize this hazard, do not treat more than one-third to one-half of the water area in a single operation and wait at least 10 to 14 days between treatments. Begin treatment along the shore and proceed outwards in bands to allow fish to move into untreated areas. Consult with the State agency for fish and game before applying to public water to determine if a permit is needed.

This chemical 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.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to label booklet for Directions for Use including Storage and Disposal.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

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Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

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(Datapack cover):

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For the control of woody plants, broadleaf weeds and vines in forests and industrial non-crop areas, including manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, roadsides, railroads, fence rows, non-irrigation ditch banks, and around farm buildings including application to grazed areas and establishment and maintenance of wildlife openings on these sites, and in Christmas tree plantations. Use within production forests and industrial non-crop sites may include applications to control target vegetation in and around standing water sites, such as marshes, wetlands, and the banks of ponds and lakes.

This product is for non-residential use only.

Active Ingredient(s):

triclopyr (3,5,6-trichloro-2-pyridinyloxyacetic acid), as the triethylamine salt	8.8%
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Refer inside of label booklet for additional precautionary information including Personal Protective Equipment (PPE), User Safety Recommendations and Directions for Use including Storage and Disposal.

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Precautionary Statements

Hazards to Humans and Domestic Animals**CAUTION**

Causes Moderate Eye Irritation • Harmful If Swallowed

Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves (\geq 14 mils) such as butyl rubber, natural rubber, neoprene rubber or nitrile rubber

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

Engineering Controls

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the WPS (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.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
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Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Under certain conditions, treatment of aquatic weeds can result in oxygen depletion or loss due to decomposition of dead plants, which may contribute to fish suffocation. This loss can cause fish suffocation. Therefore, to minimize this hazard, do not treat more than one-third to one-half of the water area in a single operation and wait at least 10 to 14 days between treatments. Begin treatment along the shore and proceed outwards in bands to allow fish to move into untreated areas. Consult with the State agency for fish and game before applying to public water to determine if a permit is needed.

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This chemical 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.

Directions for Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

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 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
- Shoes plus socks
- Protective eyewear
- Chemical-resistant gloves (\geq 14 mils) such as butyl rubber, natural rubber, neoprene rubber or nitrile rubber

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.

Entry Restrictions for Non-WPS Uses: For applications to non-cropland areas, do not allow entry into areas until sprays have dried, unless applicator and other handler PPE is worn.

Storage and Disposal

Do not contaminate water, food, or feed by storage and disposal. Open dumping is prohibited.

Pesticide Storage: Store above 28°F or agitate before use.

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 for Refillable Containers: Seal all openings which have been opened during use. Return the empty container to a collection site designated by Dow AgroSciences. If the container has been damaged and cannot be returned according to the recommended procedures, contact Dow AgroSciences Customer Service Center at 1-800-258-1470 to obtain proper handling instructions.

Container Disposal (Metal): Do not reuse container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

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Container Disposal (Plastic): Do not reuse container. 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

Brush & Weed Herbicide is recommended for the control of woody plants, broadleaf weeds and vines in forests and industrial non-crop areas including manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, roadsides, railroads, fence rows, non-irrigation ditch banks, and around farm buildings, including application to grazed areas, and establishment and maintenance of wildlife openings on these sites, and in Christmas tree plantations. Use within production forests and industrial non-crop sites may include applications to control target vegetation in and around standing water sites, such as marshes, wetlands, and the banks of ponds and lakes.

Obtain Required Permits: Consult with appropriate state or local water authorities before applying this product to public waters. State or local public agencies may require permits.

General Use Precautions and Restrictions

In Arizona: The state of Arizona has not approved Brush & Weed Herbicide for use on plants grown for commercial production, specifically forests grown for commercial timber production, or on designated grazing areas.

When applying this product in tank mix combination, follow all applicable use directions, precautions and limitations on each manufacturer's label.

Chemigation: Do not apply this product through any type of irrigation system.

Do not apply this product directly to, or otherwise permit it to come into direct contact with, grapes, tobacco, vegetable crops, flowers, or other desirable broadleaf plants. Do not permit spray mists containing it to drift into them.

It is permissible to treat non-irrigation ditch banks, seasonally dry wetlands (such as flood plains, deltas, marshes, swamps, or bogs) and transitional areas between upland and lowland sites.

- Do not apply to salt water bays or estuaries.
- Do not apply directly to un-impounded rivers or streams.
- Do not apply on ditches or canals used to transport irrigation water. It is permissible to treat non-irrigation ditch banks.
- Do not apply where runoff water may flow onto agricultural land as injury to crops may result.
- When making applications to control unwanted plants on banks or shorelines of moving water sites, minimize overspray to open water.
- The use of a mistblower is not recommended.
- Apply no more than 2 lb ae of triclopyr (3 1/3 gallons of Brush & Weed Herbicide) per acre per growing season on range and pasture sites, including rights-of-way, fence rows or any area where grazing or harvesting is allowed.
- On forestry sites, Brush & Weed Herbicide may be used at rates up to 6 lb ae of triclopyr (10 gallons of Brush & Weed Herbicide) per acre per year.
- For all terrestrial use sites other than range, pasture, forestry sites, and grazed areas, the maximum application rate is 9 lb ae of triclopyr (15 gallons of Brush & Weed Herbicide) per acre per year.

Precautions for Potable Water Intakes for Emerged Aquatic Weed Control

See chart below for specific setback distances near functioning potable water intakes. **Note:** Existing potable water intakes which are no longer in use, such as those replaced by potable water wells or connections to a municipal water system, are not considered to be functioning potable water intakes. These setback restrictions do not apply to terrestrial applications made adjacent to potable water intakes.

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Area Treated (acres)	Brush & Weed Herbicide Application Rate, gal/acre			
	2.5 gal/acre	5 gal/acre	7.5 gal/acre	10 gal/acre
	Setback Distance (ft)			
4	0	200	400	500
>4 - 8	0	200	700	900
>8 - 16	0	200	700	1000
>16	0	200	900	1300

Note: Existing potable water intakes which are no longer in use, such as those replaced by potable water wells or connections to a municipal water system, are not considered to be functioning potable water intakes. These setback restrictions do not apply to terrestrial applications made adjacent to potable water intakes.

To apply Brush & Weed Herbicide around and within the distances noted above from a functioning potable water intake, the intake must be turned off until the triclopyr level in the intake water is determined to be 0.4 parts per million (ppm) or less by laboratory analysis or immunoassay.

- **Recreational Use of Water in Treatment Area:** There are no restrictions on use of water in the treatment area for recreational purposes, including swimming and fishing.
- **Livestock Use of Water from Treatment Area:** There are no restrictions on livestock consumption of water from the treatment area.

Grazing and Haying Restrictions

Except for lactating dairy animals, there are no grazing restrictions following application of this product.

- **Grazing Lactating Dairy Animals:** Do not allow lactating dairy animals to graze treated areas until the next growing season following application of this product.
- Do not harvest hay for 14 days after application.
- Grazed areas of non-cropland and forestry sites may be spot treated if they comprise no more than 10% of the total grazable area.

Slaughter Restrictions: During the season of application, withdraw livestock from grazing treated grass at least 3 days before slaughter.

Avoiding Injurious Spray Drift

Applications should be made only when there is little or no hazard from spray drift. Very small quantities of spray, which may not be visible, may seriously injure susceptible plants. Do not spray when wind is blowing toward susceptible crops or ornamental plants near enough to be injured. It is suggested that a continuous smoke column at or near the spray site or a smoke generator on the spray equipment be used to detect air movement, lapse conditions, or temperature inversions (stable air). If the smoke layers or indicates a potential of hazardous spray drift, do not spray.

Aerial Application: For aerial application on rights-of-way or other areas near susceptible crops, apply through a Microfoil† or Thru-Valve boom†, or use an agriculturally labeled drift control additive. Other drift reducing systems or thickened sprays prepared by using high viscosity inverting systems may be used if they are made as drift-free as mixtures containing agriculturally labeled thickening agents or applications made with the Microfoil or Thru-Valve boom. Keep spray pressures low enough to provide coarse spray droplets. Spray boom should be no longer than 3/4 of the rotor length. Do not use a thickening agent with the Microfoil or Thru-Valve booms, or other systems that cannot accommodate thick sprays. Spray only when the wind velocity is low (follow state regulations). Avoid application during air inversions. If a spray thickening agent is used, follow all use recommendations and precautions on the product label.

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†Reference within this label to a particular piece of equipment produced by or available from other parties is provided without consideration for use by the reader at its discretion and subject to the reader's independent circumstances, evaluation, and expertise. Such reference by Dow AgroSciences is not intended as an endorsement of such equipment, shall not constitute a warranty (express or implied) of such equipment, and is not intended to imply that other equipment is not available and equally suitable. Any discussion of methods of use of such equipment does not imply that the reader should use the equipment other than is advised in directions available from the equipment's manufacturer. The reader is responsible for exercising its own judgment and expertise, or consulting with sources other than Dow AgroSciences, in selecting and determining how to use its equipment.

Spray Drift Management

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

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications:

1. The distance of the outer most operating nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor length.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they shall be observed.

The applicator should be familiar with and take into account the information covered in the following Aerial Drift Reduction Advisory. [This information is advisory in nature and does not supersede mandatory label requirements.]

Aerial Drift Reduction Advisory

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 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 downwind. 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 the 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).

Ground Equipment: To aid in reducing spray drift, Brush & Weed Herbicide should be used in thickened (high viscosity) spray mixtures using an agriculturally labeled drift control additive, high viscosity invert system, or equivalent as directed by the manufacturer. With ground equipment, spray drift can be reduced by keeping the spray boom as low as possible; by applying 20 gallons or more of spray per acre; by keeping the operating spray pressures at the lower end of the manufacturer's recommended pressures for the specific nozzle type used (low pressure nozzles are available from spray equipment manufacturers); and by spraying when wind velocity is low (follow state regulations). In hand-gun applications, select the minimum spray pressure that will provide adequate plant coverage (without forming a mist). Do not apply with nozzles that produce a fine-droplet spray.

High Volume Leaf-Stem Treatment: To minimize spray drift, do not use pressure exceeding 50 psi at the spray nozzle and keep sprays no higher than brush tops. An agriculturally labeled thickening agent may be used to reduce drift.

Woody Plants and Vines Controlled Include:

- | | | |
|---------------|-------------|-------------------|
| alder | dogwood | raspberry |
| Arkansas rose | elderberry | salmonberry |
| arrowwood | elm | sassafras |
| ash | hazel | scotch broom |
| aspen | honeysuckle | sumac |
| beech | hornbeam | sweetbay magnolia |
| birch | kudzu | sweetgum |

blackberry	locust	sycamore
blackgum	madrone	tanoak
box elder	maples	thimbleberry
Brazilian pepper	mesquite	trumpet creeper
California rose	mimosa	tulip poplar
casacara	mulberry	Virginia creeper
ceanothus	oaks	western hemlock
cherry	persimmon	willow
chinquapin	pine	winged elm
choke cherry	poison ivy	wild grape
cottonwood	poison oak	wild rose
crataegus (hawthorn)	poplar	
Douglas fir		

Perennial Broadleaf Weeds Controlled Include:

bindweed	field bindweed	smartweed
burdock	field horsetail rush	spurge
Canada thistle	henbit	tansy ragwort
chicory	lambquarter	vetch
clover	oxalis	wild lettuce
curly dock	plantain	wild violet
dandelion	ragweed	

Application Methods

Use Brush & Weed Herbicide at rates of 3/4 to 9 lb ae of triclopyr (1.25 to 15 gallons of Brush & Weed Herbicide) per acre to control broadleaf weeds and woody plants. In all cases use the amount specified in enough water to give uniform and complete coverage of the plants to be controlled. Use only water suitable for spraying. Use of an agriculturally labeled non-ionic surfactant is recommended for all foliar applications. When using surfactants, follow the use directions and precautions listed on the surfactant manufacturer's label. Use the higher recommended concentrations of surfactant in the spray mixture when applying lower spray volumes per acre. The recommended order of addition to the spray tank is water, spray thickening agent (if used), additional herbicide (if used), and Brush & Weed Herbicide. Surfactant should be added to the spray tank last or as recommended on the product label. If combined with emulsifiable concentrate herbicides, moderate continuous adequate agitation is required.

Before using any recommended tank mixtures, read the directions and all use precautions on both labels.

For best results, applications should be made when woody plants and weeds are actively growing. When hard to control species such as ash, blackgum, choke cherry, elm, maples, oaks, pines, or winged elm are prevalent and during applications made in late summer when the plants are mature and during drought conditions, use the higher rates of Brush & Weed Herbicide alone or in combinations with Tordon* 101 Mixture herbicide. (Tordon 101 Mixture is a restricted use pesticide. See product label.)

When using Brush & Weed Herbicide in combination with 2,4-D 3.8 lb amine, like DMA 4 IVM, or low volatile ester herbicides, generally the higher rates should be used for satisfactory brush control.

Use the higher dosage rates when brush approaches an average of 15 feet in height or when the brush covers more than 60% of the area to be treated. If lower rates are used on hard to control species, resprouting may occur the year following treatment.

On sites where easy to control brush species dominate, rates less than those recommended may be effective. Consult State or Local Extension personnel for such information.

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Foliage Treatment With Ground Equipment

High Volume Foliage Treatment

For control of woody plants, use Brush & Weed Herbicide at the rate of 3 to 9 lb ae of triclopyr (5 to 15 gallons of Brush & Weed Herbicide) per 100 gallons of spray solution, or Brush & Weed Herbicide at 3/4 to 3 lb ae of triclopyr (1.25 to 5 gallons of Brush & Weed Herbicide) may be tank mixed with 1/4 to 1/2 gallons of 2,4-D 3.8 lb amine, like DMA 4 IVM, or low volatile ester or Tordon 101 Mixture and diluted to make 100 gallons of spray solution. Apply at a volume of 100 to 400 gallons of total spray per acre depending on size and density of woody plants. Coverage should be thorough to wet all leaves, stems, and root collars. (See General Use Precautions and Restrictions.) Do not exceed maximum allowable use rates per acre (see table below).

Maximum Labeled Rate versus Spray Volume per Acre

Total Spray Volume (gal/acre)	Maximum Rate of Brush & Weed Herbicide		
	Rangeland and Pasture Sites [†] (gal/100 gal of spray)	Forestry Sites ^{††} (gal/100 gal of spray)	Other Non-Cropland Sites ^{†††} (gal/100 gal of spray)
400	Do not use	2.5	3.75
300	Do not use	3.33	5
200	Do not use	5	7.5
100	3.33	10	15
50	6.67	4 20	30
40	8.33	25	37.5
30	11	33.3	50
20	16.67	50	75
10	33.3	100	150

[†] Do not exceed the maximum use rate of 2 lb ae of triclopyr (3.3 gallons of Brush & Weed Herbicide)/acre/year.

^{††} Do not exceed the maximum use rate of 6 lb ae of triclopyr (10 gal of Brush & Weed Herbicide)/acre/year.

^{†††} Do not exceed the maximum use rate of 9 lb ae of triclopyr (15 gal of Brush & Weed Herbicide)/acre/year on non-cropland use sites other than rangeland, pasture, forestry, and grazed areas.

Low Volume Foliage Treatment

To control susceptible woody plants, apply up to 15 lb ae of triclopyr (25 gallons of Brush & Weed Herbicide) in 10 to 100 gallons of finished spray. The spray concentration of Brush & Weed Herbicide and total spray volume per acre may be adjusted according to the size and density of target woody plants and kind of spray equipment used. With low volume sprays, use sufficient spray volume to obtain uniform coverage of target plants including the surfaces of all foliage, stems, and root collars (see General Use Precautions and Restrictions). For best results, a surfactant should be added to all spray mixtures. Match equipment and delivery rate of spray nozzles to height and density of woody plants. When treating tall, dense brush, a truck mounted spray gun with spray tips that deliver up to 2 gallons per minute at 40 to 60 psi may be required. Backpack or other types of specialized spray equipment with spray tips that deliver less than 1 gallon of spray per minute may be appropriate for short, low to moderate density brush.

Tank Mixing: As a low volume foliar spray, up to 9 lb ae of triclopyr (15 gallons of Brush & Weed Herbicide) may be applied in tank mix combination with 1/2 to 1 gallon of Tordon K or 1 to 2 gallons of Tordon 101 Mixture in 10 to 100 gallons of finished spray.

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Broadcast Applications With Ground Equipment

Make application using equipment that will assure uniform coverage of the spray volumes applied. To improve spray coverage, add an agriculturally labeled non-ionic surfactant as described later under Directions for Use. See Maximum Labeled Rate versus Spray Volume per Acre table above for relationship between mixing rate, spray volume and maximum application rate.

Woody Plant Control

Foliage Treatment: Use 6 to 9 lb ae of triclopyr (10 to 15 gallons of Brush & Weed Herbicide) in enough water to make 20 to 100 gallons of total spray per acre or 1 1/2 to 3 lb ae of triclopyr (2.5 to 5 gallons of Brush & Weed Herbicide) may be combined with 1 to 2 gallons of 2,4-D 3.8 lb amine, like DMA 4 IVM, or low volatile esters or Tordon 101 Mixture in sufficient water to make 20 to 100 gallons of total spray per acre.

Broadleaf Weed Control

Use Brush & Weed Herbicide at rates of 1 to 4 1/2 lb ae of triclopyr (1.67 to 7.5 gallons Weed & Brush Herbicide) in a total volume of 20 to 100 gallons of water per acre. Apply any time during the growing season. Brush & Weed herbicide at 1 to 3 lb ae of triclopyr (1.67 to 5 gallons Brush & Weed Herbicide) may be tank mixed with 1/2 to 1 gallon of Tordon K, Tordon 101 Mixture or 2,4-D 3.8 lb amine, like DMA 4 IVM, or low volatile herbicides to improve the spectrum of activity.

Aerial Application (Helicopter Only)

Aerial sprays should be applied using suitable drift control. (See General Use Precautions and Restrictions.) Add an agriculturally labeled non-ionic surfactant as described under Directions for Use. See Maximum Labeled Rate versus Spray Volume per Acre table above for relationship between mixing rate, spray volume and maximum application rate.

Foliage Treatment (Non-Grazed Rights-of-Way)

Non-grazed areas: Use 6 to 9 lb ae of triclopyr (10 to 15 gallons of Brush & Weed Herbicide) or 3 to 4 1/2 lb ae of triclopyr (5 to 7.5 gallons of Brush & Weed Herbicide) in a tank mix combination with 1 to 2 gallons of 2,4-D 3.8 lb amine, like DMA 4 IVM, or low volatile esters or Tordon 101 Mixture, and apply in a total spray volume of 10 to 30 gallons per acre. Use the higher rates and volumes when plants are dense or under drought conditions.

Interspersed areas in non-grazed rights-of-ways that may be subject to grazing may be spot treated if the treated area comprises no more than 10% of the total grazable area.

Forest Management Applications

For best control from broadcast applications of Brush & Weed Herbicide, use a spray volume which will provide thorough plant coverage. Recommended spray volumes are usually 10 to 25 gallons per acre by air or 10 to 100 gallons per acre by ground. To improve spray coverage of spray volumes less than 50 gallons per acre, add an agriculturally labeled non-ionic surfactant as described under Directions for Use. Application systems should be used to prevent hazardous drift to off-target sites. Nozzles or additives that produce larger droplets of spray may require higher spray volumes to maintain brush control.

Forest Site Preparation (Not for Conifer Release)

Use up to 6 lb ae of triclopyr (10 gallons of Brush & Weed Herbicide) and apply in a total spray volume of 10 to 30 gallons per acre or Brush & Weed Herbicide at 3 to 4 1/2 lb ae of triclopyr (5 to 7.5 gallons of Brush & Weed Herbicide) may be used with 1 to 2 gallons of Tordon 101 Mixture or 2,4-D 3.8 lb low volatile ester in a tank mix combination in a total spray volume of 10 to 30 gallons per acre. Use of a non-ionic agricultural surfactant is recommended for all foliar applications as described under Directions for Use.

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Note: Conifers planted sooner than one month after treatment with Brush & Weed Herbicide at less than 4 lb ae of triclopyr (6.67 gallons of Brush & Weed Herbicide) per acre or sooner than two months after treatment at 4 to 6 lb ae of triclopyr (6.67 to 10 gallons of Brush & Weed Herbicide) per acre may be injured. When tank mixtures of herbicides are used for forest site preparation, labels for all products in the mixture should be consulted and the longest recommended waiting period before planting observed.

Directed Spray Applications for Conifer Release

To release conifers from competing hardwoods such as red maple, sugar maple, striped maple, sweetgum, red and white oaks, ash, hickory, alder, birch, aspen, and pin cherry, mix 3 to 6 lb ae triclopyr (5 to 10 gallons of Brush & Weed Herbicide) in enough water to make 100 gallons of spray mixture. To improve spray coverage, add an agriculturally labeled non-ionic surfactant as described under Directions for Use. The spray mixture should be directed onto foliage of competitive hardwoods using knapsack or backpack sprayers with flat fan nozzles or equivalent any time after hardwoods have reached full leaf size, but before autumn coloration. The majority of treated hardwoods should be less than 6 feet in height to ensure adequate spray coverage. Care should be taken to direct spray away from contact with conifer foliage, particularly foliage of desirable pines.

Note: Spray may cause temporary damage and growth suppression where contact with conifers occurs; however, injured conifers should recover and grow normally. Over-the-top spray applications can kill pines.

Broadcast Application for Conifer Release in the Northeastern United States

To release spruce, fir, red pine and white pine from competing hardwoods, such as red maple, sugar maple, striped maple, alder, birch (white, yellow or gray), aspen, ash, pin cherry and *Rubus* spp. and perennial and annual broadleaf weeds, use Brush & Weed Herbicide at rates of 1 1/2 to 3 lb ae triclopyr (2.5 to 5 gallons of Brush & Weed Herbicide) per acre alone or plus 2,4-D amine, like DMA 4 IVM, or 2,4-D ester to provide no more than 4 lb acid equivalent per acre from both products. Applications should be made in late summer or early fall after conifers have formed their over wintering buds and hardwoods are in full leaf and prior to autumn coloration.

Broadcast Applications for Douglas Fir Release in the Pacific Northwest and California

To release Douglas fir from susceptible competing vegetation such as broadleaf weeds, alder, blackberry or Scotch broom, apply Brush & Weed Herbicide at 1 to 1 1/2 lb ae triclopyr (1.67 to 2.5 gallons of Brush & Weed Herbicide) per acre alone or in combination with 4 lb per acre of atrazine. Mix all sprays in a water carrier with a non-ionic surfactant. Applications should be made in early spring after hardwoods begin growth and before Douglas fir bud break ("early foliar" hardwood stage) or after Douglas fir seasonal growth has "hardened off" (set winter buds) in late summer, but while hardwoods are still actively growing. When treating after Douglas fir bud set, apply prior to onset of autumn coloration in hardwood foliage. **Note:** Treatments applied during active Douglas fir shoot growth (after spring bud break and prior to bud set) may cause injury to Douglas fir trees.

Cut Surface Treatments

To control unwanted trees of hardwood species such as elm, maple, oak and conifers in rights-of-way and other non-crop areas, apply Brush & Weed Herbicide undiluted as directed below.

With Tree Injector Method

Applications should be made by injecting 2.5 milliliter of undiluted Brush & Weed Herbicide through the bark at intervals of 3 to 4 inches between centers of the injector wound. The injections should completely surround the tree at any convenient height. **Note: No Worker Protection Standard worker entry restrictions or worker notification requirements apply when this product is injected directly into plants.**

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With Hack and Squirt Method

Make cuts with a hatchet or similar equipment at intervals of 3 to 4 inches between centers at a convenient height around the tree trunk. Spray 2.5 milliliter of undiluted Brush & Weed Herbicide into each cut.

With Frill or Girdle Method

Make a single girdle through the bark completely around the tree at a convenient height. Wet the cut surface with undiluted solution.

Both of the above methods may be used successfully at any season except during periods of heavy sap flow of certain species - for example, maples.

Stump Treatment

Spray or paint the cut surfaces of freshly cut stumps and stubs with undiluted Brush & Weed Herbicide. The cambium area next to the bark is the most vital area to wet.

Christmas Tree Plantations

Brush & Weed Herbicide is recommended for the control of woody plants and annual and perennial broadleaf weeds in established Christmas tree plantations. For best results, applications should be made when woody plants and weeds are actively growing. Brush & Weed Herbicide does not control weeds which have not emerged at the time of application. If lower rates are used on hard to control woody species, resprouting may occur the year following treatment. Brush over 8 feet tall is difficult to treat efficiently using hand equipment such as backpack or knapsack sprayers. When treating large brush or trees or hard to control species such as ash, blackgum, choke cherry, elm, hazel, madrone, maples, oaks or sweetgum, and for applications made during drought conditions or in late summer when the leaves are mature, use the higher rates of Brush & Weed Herbicide or use cut surface application methods. For foliar applications, apply in enough water to give uniform and complete coverage of the plants to be controlled. Applications made under drought conditions may provide less than desirable results.

Use Precautions

- Do not use on newly seeded grass until well established as indicated by vigorous growth and development of secondary root system and tillering.
- Newly seeded turf (alleyways, etc.) should be mowed 2 or 3 times before any treatment with Brush & Weed Herbicide.
- Do not reseed Christmas tree areas treated with Brush & Weed Herbicide for a minimum of 3 weeks after application.
- Do not use Brush & Weed Herbicide if legumes, such as clover, are present and injury cannot be tolerated.

Spray Preparation

The recommended order of addition to the spray tank is water, drift control agent (if used), non-ionic agricultural surfactant and Brush & Weed Herbicide. Continue moderate agitation while mixing and spraying. Use of a non-ionic agricultural surfactant is recommended for all applications. When using surfactants, follow use directions and precautions listed on the manufacturer's label. Use the higher recommended concentrations of surfactant in the spray mixture when applying lower spray volumes per acre.

Application

Make applications in late summer or early autumn after terminal growth of Christmas trees has hardened off, but before leaf drop of, target weeds. Apply at a rate of 3/4 to 1 3/4 lb ae triclopyr (1.25 to 2.9 gallons of Brush & Weed Herbicide) per acre as a foliar spray directed toward the base of Christmas trees. Use

sufficient spray volume to provide uniform coverage of target plants (20 to 100 gallons per acre). **Do not apply with 2,4-D.** Application rates of Brush & Weed Herbicide recommended for Christmas trees will only suppress some well established woody plants that are greater than 2 to 3 years old (see table below). Broadcast sprays may also be applied in bands between the rows of planted trees. Use spray equipment that will assure uniform coverage of the desired spray volume.

Spray solution from Brush & Weed Herbicide can cause needle and branch injury to Christmas trees. To minimize injury to Christmas trees, it is recommended that sprays be directed so as to minimize contact with foliage. Blue spruce, white spruce, balsam fir and Fraser fir are less susceptible to injury than white pine and Douglas fir.

Restriction: Apply Brush & Weed Herbicide only to established Christmas trees that were planted at least one full year prior to application.

Application Rates and Species Controlled:

Brush & Weed Herbicide		
1.25 gal/acre (3/4 lb ae triclopyr)	2.5 gal/acre (1 1/2 lb ae triclopyr)	2.9 gal/acre (1 3/4 lb ae triclopyr)
clover	bindweed, field (TG)	arrowwood (SDL)
dandelion	blackberry	aspen
dock, curly	chicory (s)	beech (SDL)
lambsquarters	fireweed	birch (SDL)
lespedeza	ivy, ground	chinquapin
plantain, broadleaf	lettuce, wild	cottonwood (SDL)
plantain, buckhorn	oxalis	elderberry
ragweed, common	poison ivy	grape, wild
vetch	smartweed (TG)	mulberry (SDL)
	thistle, Canada (TG)	poplar (SDL)
	violet, wild	sassafras (SDL)
	Virginia creeper	sumac (SDL)
		sycamore (SDL)

(TG) Top growth control, retreatment may be necessary

(S) Suppression

(SDL) Seedlings less than 2-3 years old

Directed Applications

To control hardwoods such as red maple, sugar maple, striped maple, sweetgum, red and white oaks, ash, alder, birch, aspen, and pin cherry mix 20 to 100 fl oz of Brush & Weed Herbicide in enough water to make 3 gallons of spray mixture. For directed applications, do not exceed 6 lb ae triclopyr (10 gallons of Brush & Weed Herbicide) per acre per year. To improve coverage, add a non-ionic agricultural surfactant to the spray. This spray mixture should be directed onto foliage of competitive hardwoods using knapsack or backpack sprayers with flat fan nozzles or equivalent any time after hardwoods have reached full leaf size, but before autumn coloration (when plants are actively growing). The majority of treated hardwoods should be less than 8 feet in height to ensure adequate spray coverage. **Note:** To prevent Christmas tree injury, care should be taken to direct spray away from contact with Christmas tree foliage.

Cut Surface Treatments

When treating large brush or trees or hard to control species such as ash, blackgum, choke cherry, elm, hazel, madrone, maples, oaks or sweetgum, and for applications made during drought conditions or in late summer when the leaves are mature, use cut surface treatments. (See directions for Cut Surface Treatments in preceding section of this label.)

Wetland Sites in Production Forests and Industrial Non-Crop Areas

Brush & Weed Herbicide may be used within production forests and industrial non-crop sites to control target vegetation in and around standing water sites, such as marshes, wetlands, and the banks of ponds and lakes and transition areas between upland and lowland sites.

For control of woody plants and broadleaf weeds in these sites, follow use directions and application methods on this label for forestry and terrestrial non-cropland sites.

Use Precautions

Minimize overspray to open water when treating target vegetation in and around non-flowing, quiescent or transient water. When making applications to control unwanted plants on banks or shorelines of flowing water, minimize overspray to open water. **Note:** Consult local public water control authorities before applying this product in and around public water. Permits may be required to treat such areas.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Seller's election, one of the following:

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

Seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. In no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Terms and Conditions of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the Seller or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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