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(Base label):

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(Logo) Dow AgroSciences LLC

Tracer*

A broad spectrum insect control product for cotton, field corn, sorghum, soybeans, and wheat.

Active Ingredients:

Contains 4 pounds of active ingredient per gallon.

U.S. Patent No. 5,362,634 and 5,496,931

ACCEPTED

APR 1 8 2000

Under the Foderal Insecticide, Fungicide, and Redesticide Act. as amended, for the posticide registered under EPA Reg. No. 62719 - 267

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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.)

Precautionary Statements

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- Shoes plus socks

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.

User Safety Recommendations

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Environmental Hazards

This product is highly toxic to bees exposed to direct treatment on blooming crops or other vegetation.

Avoid use when bees are actively foraging. Protective information may be obtained from your Cooperative Agricultural Extension Service. This product is highly toxic to molluscs. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

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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 additional precautionary information including Personal Protective Equipment (PPE), User Safety Recommendations and Directions for Use including Storage and Disposal.

Notice: Read the entire label. Use only according to label directions. Before buying or using this product, read "Warranty Disclaimer" and "Limitation of Remedies" inside label booklet.

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

Shake Well Before Use - Avoid Freezing

EPA Reg. No. 62719-267

XX XX EPA Est.

Superscripts correspond to places 7 & 8 of lot number 900-00000 / 00000000

*Trademark of Dow AgroSciences LLC

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

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Naturalyte* Insect Control

Net Contents XXX

[Insert Bar Code FPO]
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Lot

(Label booklet cover):

(Logo) Dow AgroSciences LLC

Tracer*

A broad spectrum insect control product for cotton, field corn, sorghum, soybeans, and wheat.

Active Ingredients: spinosad (a mixture of spinosyn A and

Contains 4 pounds of active ingredient per gallon.

U.S. Patent No. 5,362,634 and 5,496,931

Keep Out of Reach of Children

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

Naturalyte* Insect Control

Net Contents XXX

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Precautionary Statements

CAUTION

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- · Shoes plus socks

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User Safety Recommendations

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Environmental Hazards

This product is highly toxic to bees exposed to direct treatment on blooming crops or other vegetation. Avoid use when bees are actively foraging. Protective information may be obtained from your Cooperative Agricultural Extension Service. This product is highly toxic to molluscs. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

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 spacific 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 4 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Waterproof gloves
- Shoes plus socks

Storage and Disposal

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

Storage: Store in original container only. In case of leak or spill, contain material with absorbent materials and dispose as waste.

Disposal: Wastes resulting from the use of this product may be disposed of on site according to label use directions or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). Then dispose of in a sanitary landfill or by incineration if permitted by state and local authorities. If burned, stay out of smoke.

General Information

Tracer* Naturalyte* insect control is a fermentation-derived insect control agent for insect control and management in cotton, field corn, sorghum, soybeans, and wheat. The suspension concentrate formulation of Tracer should be mixed with water and applied with air or ground equipment equipped for conventional insecticide spraying.

General Use Precautions

Integrated Pest Management (IPM) Programs:

Tracer insect control is recommended as the foundation of an IPM program in labeled crops. Tracer should be applied when field scouting indicates that target pest densities have reached the economic threshold, i.e., the point at which the insect population must be reduced to avoid economic losses beyond the cost of control. Other than reducing the target pest species as a food source, Tracer does not significantly reduce certain parasitic insects or the natural predaceous arthropod complex including bigeyed bugs, ladybird beetles, flower bugs, lacewings, minute pirate bugs, damsel bugs, assassin bugs or spiders. When preserved, the feeding activities of these beneficial arthropods aid in the extended natural control of other insects and reduce the likelihood of secondary pest outbreaks for which additional insecticide treatments may be needed. Tracer will not flare aphids or mites. If Tracer is tank mixed with any insecticide that reduces its selectivity in preserving beneficial predatory insects, then the full benefit of Tracer to your IPM program may not be realized.

Insecticide Resistance Management (IRM) Recommendations:

Any insect control agent will become less effective over time if target insects develop resistance to its mode of action. Adherence to the following IRM strategy should prolong the usefulness of Tracer and conventional insecticides:

- Tracer or any insect control product from the same class or mode of action should not be used on consecutive generations of tobacco budworm or cotton bollworm. However, up to three applications to reduce a "single" insect generation below the economic threshold are permitted. [Note: Cotton bollworm (Helicoverpa zea) and tobacco budworm (Heliothis virescens) are different species. If the initial infestation is predominately (greater than 80%) cotton bollworm or tobacco budworm, then a subsequent infestation which is predominantly the "other" species should not be considered a product infestation. If uncertain of the generation cycle, do not make more than three consecutive applications of an insect control product from the same product class, rotate to a different class of insect control product, or use no treatment for the next 30 days.
- Do not use less than labeled rates of any insect control product when applied alone or in tank mixtures and target applications against small larvae and eggs.
- Always consult with your local agricultural specialist or Dow AgroSciences representative (1-800-258-3033) for guidance and information on how Tracer will fit into area resistance management programs.
- Include multiple non-chemical tactics (e.g. cultural or biological controls) within an Integrated Pest permanent (IPM) program where available and appropriate.

Mixing

Always shake well before use. Avoid freezing.

Mixing Tracer Alone

Fill the spray tank about one-half full of water. Start agitation and add the required amount of Tracer. Continue agitation while mixing and filling the spray tank to the required spray volume. Maintain sufficient agitation during application to ensure uniformity of the spray solution. Do not allow water or spray mixture to back-siphon into water source.

Tank Mixing

When tank mixing Tracer with other materials, a compatibility test (jar test) using relative proportions of tank mix ingredients should be conducted prior to mixing ingredients in the spray tank. Vigorous, continuous agitation during mixing, filling and throughout application is required for all tank mixes. Sparger pipe agitators generally provide the most effective agitation in spray tanks. To prevent foaming in the spray tank, avoid stirring or splashing air into the spray mixture. Do not use acidifying buffering agents in tank mixes with Tracer.

Mixing Order for Tank Mixes: Fill the spray tank with water to 1/4 to 1/3 of the total spray volume required. Start agitation. Add different formulation types in the order indicated below, allowing time for complete mixing and dispersion after addition of each product. Allow extra mixing and dispersion time for dry flowable products.

Add different formulation types in the following order:

- 1. Water dispersible granules;
- 2. Wettable powders;
- 3. Tracer and aqueous suspensions;
- Maintain agitation and fill spray tank to 3/4 of total spray volume. Then add:
- 5. Emulsifiable concentrates and water-based solutions.
- 6. Adjuvants or fertilizers.

Finish filling the spray tank. Maintain continuous agitation during mixing, final filling and throughout application. If spraying and agitation must be stopped before the spray tank is empty, the materials may settle to the bottom. Settled materials must be resuspended before spraying is resumed. A sparger agitator is particularly useful for this purpose.

Premixing: Dry and flowable formulations may be premixed with water (slurried) and added to the spray tank through a 20-35 mesh screen. This procedure assures good initial dispersion of these formulation types.

Use of Adjuvants: In some situations where coverage is difficult to achieve such as closed canopy, dense foliage, or less than optimum application equipment, an adjuvant may improve performance. It adjuvants are used the following guidelines should be followed:

- Use only adjuvant products labeled for agricultural use and follow directions on the manufacturer's label. A nominal concentration of 1 to 2 qt/100 gal (0.25 to 0.5% v/v) is generally sufficient.
- Use only emulsified crop oil, methylated crop oil plus organosilicone combination products or nonionic surfactants.
- When using adjuvants, always conduct a jar test to determine the compatibility of the various ''' components in the spray mixture. Crop safety should be evaluated in a small area of the crop whenever there is a significant change in spray mixture ingredients or source of water for the spray mixture.

• Do not use diesel oil or pure mineral oil.

Application

Proper application techniques help ensure thorough spray coverage and correct dosage necessary to obtain optimum control of insect pests. The following recommendations are provided for ground and aerial application of Tracer.

Ground Application

Apply in a minimum spray volume of 5 gallons of water per acre. Use power-operated ground spray equipment capable of thorough coverage of the target crop. Orient the boom and nozzles to obtain uniform (crop) coverage (of the crop). Under certain conditions, drop nozzles may be required to obtain uniform coverage. Use hollow cone, disc-core hollow cone or twin jet flat fan nozzles suitable for insecticide spraying. Follow manufacturer's recommendations for ideal nozzle spacing and spray pressure. Minimize boom height to optimize coverage uniformity, maximize deposition (optimize ontarget deposition), and reduce (spray) drift.

Band Application: Band application may be appropriate when cotton is small. Nozzle selection, placement, or shielding to compensate for windy conditions is critical to ensure adequate coverage.

Aerial Application

Apply in a total spray volume of 2 to 5 gallons per acre using a nozzle configuration that will provide a median droplet size of 200-300 microns (for example: D4-D6 or 6504-6508 nozzles - recommended nozzle angle is 0 degrees straight back to 45 degrees down; or CP nozzles - recommended nozzle angle zero degrees straight back, orifice setting 0.125, deflector medium, speed 120). Boom length must be less than 75% of wing or rotor span. Observe minimum safe application height (should not exceed 12 feet above crop canopy). Use swath markers or flagging. The aircraft boom nozzle configurations used should be patterned previously (e.g., at NAAA Fly-In) for both crosswind and near parallel winds. If application is made parallel to the wind direction, swath width should be adjusted downward. Use some swath adjustment (offset) to compensate for increasing crosswinds. Do not apply under completely calm wind conditions. Rather, make application when wind speed is between 2 - 10 mph. Under conditions of low humidity and high temperatures, adjust spray volume and droplet size upward to compensate for evaporation of spray droplets.

Application by Chemigation

Tracer may be applied through properly equipped chemigation systems for weed control in corn. Follow use directions for these crops in the "Approved Uses" section of this label. Do not apply Tracer by chemigation to other labeled crops, except as specified in Dow AgroSciences supplemental labeling or product bulletins.

General Directions for Chemigation:

Tracer may be applied through overhead sprinkler irrigation systems that will apply water uniformly, including center pivot, lateral move, end tow, side (wheel) roll, traveler, solid set, micro sprinkler, or, hand move. Do not apply this product through any other type of irrigation system. Sprinkler systems that deliver a low coefficient of uniformity such as certain water drive units are not recommended.

For continuously moving systems, the mixture containing Tracer must be injected continuously and uniformly into the irrigation water line as the sprinkler is moving. If continuously moving irrigation and equipment is used, apply in no more than 0.25 inch of water. For sprinkler systems that do not move during operation, apply in no more than 0.25 inch of irrigation immediately before the and of the irrigation cycle.

Preparation: The following use directions are to be followed when this product is applied through sprinkler irrigation systems. Thoroughly clean the injection system and tank of any fertilizer or chemical residues, and dispose of the residues according to state and federal laws. Flush the injector with soap or a cleaning agent and water. Determine the amount of Tracer needed to cover the desired acreage. Mix according to instructions in the "Mixing" section above. Continually agitate the mixture during mixing and application.

Equipment Calibration: In order to calibrate the irrigation system and injector to apply the mixture containing Tracer, determine the following: 1) Calculate the number of acres irrigated by the system; 2) Set the irrigation rate and determine the number of minutes for the system to cover the intended treatment area; 3) Calculate the total gallons of insecticide mixture needed to cover the desired acreage. Divide the total gallons of insecticide mixture needed by the number of minutes to cover the treatment area. This value equals the gallons per minute output that the injector must deliver. Convert the gallons per minute to milliliters or ounces per minute. Calibrate the injector pump with the system in operation at the desired irrigation rate. It is suggested that the injector pump be calibrated at least twice before operation, and the system should be monitored during operation.

Operation: Start the water pump and sprinkler, and let the system achieve the desired pressure and speed before starting the injector. Start the injector and calibrate the injector system according to Special Use Precautions". This procedure is necessary to deliver the desired rate per acre in a uniform manner. When the application is finished, allow the entire irrigation and injector system to be thoroughly flushed clean before stopping the system.

Precautions:

- Lack of effectiveness or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.
- If you have questions about calibration, you should contact state extension service specialists, equipment manufacturers or other experts.
- Do not connect an irrigation system used for pesticide application (including greenhouse systems) to a
 public water system unless the pesticide label-prescribed safety devices for public water systems are in
 place.
- A person knowledgeable of the chemigation system and responsible for its operation, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.
- Do not apply when wind speed favors drift beyond the area intended for treatment. End guns must be turned off during the application, if they irrigate nontarget areas.
- Do not allow irrigation water to collect or runoff and pose a hazard to livestock, wells, or adjoining crops.
- Do not enter treated area during the reentry interval specified in the Agricultural Use Requirements section of this label unless required PPE is worn.
- Do not apply through sprinkler systems that deliver a low coefficient of uniformity such as certain water drive units.

Specific Equipment Requirements:

- 1. The system must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow. Refer to the American Society of Agricultural Engineer's Engineering Practice 409 for more information.
- 2. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.
- 3. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the systern is either prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

- 4. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
- 5. The irrigation line or water pump must include a functional pressure switch that will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- 6. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock. The metering pump must provide a greater pressure than that of the irrigation system at the point of injection. The pump must meet Section 675 for "Electrically Driven or Controlled Irrigation Machines" NEC 70 and must contain Viton or Teflon seals.
- 7. To insure uniform mixing of the insecticide into the water line, inject the mixture through a nozzle placed in the fertilizer injection port or just ahead of an elbow or tee in the irrigation line so that the turbulence created at those points will assist in mixing. It is suggested that the injection point be higher than the insecticide tank to prevent siphoning.
- 8. The tank holding the insecticide mixture should be large enough to allow the system to complete a revolution with 1 filling. It should be free of rust, fertilizer, sediment, and foreign material, and equipped with an in-line strainer situated between the tank and the injector pump.

Application Rate Conversion Chart:

| Application Rate (fl oz/acre) | Active Ingredient (Ib/acre) | Acres per Gallon of Product |
|-------------------------------------|-----------------------------------|-----------------------------------|
| 1 | 0.031 | 128 |
| 1.4 | 0.045 | 90 |
| 1.5 | 0.047 | 85 |
| 2 | 0.062 | 64 |
| 2.14 | 0.067 | 60 |
| 2.5 | 0.078 | 51 |
| 2.9 | 0.089 | 45 |
| 3 | 0.094 | 43 |

Approved Uses

Cotton

Pests, Application Rates and Restrictions:

| Pests Controlled | Rate (fl oz/acre) | Recommendations and Restrictions |
|---|----------------------|---|
| tobacco budworm cotton bollworm (prebloom) cotton leafperforator European corn borer | 1.4 to 2.9 | General Considerations for Spraying: Choose a higher rate within the rate range and higher spray volume when one or more of the following is true: 1. Tobacco budworms or bollworms are more than; 1/4 inch in length; 2. Target pest population is 2X above state threshold level; 3. Foliage canopy is tall/dense and worms are present in the lower part of the canopy. |

| armyworms (including beet | 2.14 - 2.9 | Preharvest Interval: Do not apply within 28 days of |
|-----------------------------|------------|---|
| armýworm and fall armyworm) | | harvest. Maximum Use Rate: Do not apply more than 14.4 fl oz |
| cotton bollworm (postbloom) | | of Tracer (0.45 lb spinosad) per acre per growing |
| loopers (including soybean | | season. |
| looper and cabbage looper) | | Re-application Interval: A minimal of 5 days for high rates of application. |
| saltmarsh caterpillar | | |
| thrips | <u></u> | |

Specific Use Directions

IPM Considerations (Tobacco budworm and/or Cotton bollworm): Where early season conservation of beneficial insects is practical, use Tracer to control the first and third generation of tobacco budworm and/or cotton bollworm. Where conservation of beneficial insects is not as critical (for example, fields have received non-selective early season treatments for boll weevil or lygus bugs), use Tracer to control either the second or third generation of tobacco budworm and/or cotton bollworm.

Scouting and Application Timing (Tobacco Budworm and/or Cotton Bollworm: For the most effective control, fields should be scouted twice per week and application of Tracer made when the majority of the population is within the time of blackhead egg stage to 1/8-inch larval length. The following table illustrates the size of development of worms in relation to age and stage of development (instar) as a guide to timing treatments for optimum control:

| Age (Days) | Average Size | Instar † | |
|------------|--------------|----------|--|
| Hatch | 1/16" | 1st | |
| 3 | 1/4" | 2nd | |
| 5 | 1/2" | 3rd | |
| 8 | 7/8" - | 4th | |
| 10 | 1" | 5th | |

[†] **Note:** A scouting schedule of only once per week is risky since hatching worms will have grown to third instar before the next scouting observation has determined the need to spray.

Beet Armyworm: Economic thresholds vary with local conditions and sampling methods. The following is an example of one such method: Apply Tracer when field scouting reveals three or more occurrences of egg hatch or larval feeding per 100 feet of row.

Loopers: Economic thresholds vary with local conditions and sampling methods. The following is an example of one such method: Apply Tracer when field scouting reveals 4 larvae per 1 foot of row or 25% defoliation.

Field Corn, Seed Corn, Popcorn, and Teosinte

Pests, Application Rates and Restrictions:

| Pests Controlled | Rate (fl oz/acre) | Recommendations and Restrictions |
|--|----------------------|---|
| European com borer | 1 - 3 | General: Use a higher rate in rate range for heavy infestations and/or difficult spray coverage situations. |
| armyworms (such as fall armyworm) | 2-3 | Maximum Use Rate: Do not apply more than 6 fl oz of Tracer (0.188 lb spinosad) per acre per year. |
| com earworm southwestern corn borer western bean cutworm | | Preharvest Interval: Do not apply within 28 days of grain or fodder harvest or within 7 days of forage harvest. |

Specific Use Directions

Application Timing: Scout for **European corn borer** and **armyworms** with enough regularity to monitor egg laying and egg hatch. Applications of Tracer should be timed to coincide with peak egg hatch of each generation.

Spray Delivery: For control of first generation **European corn borer**, apply broadcast or as a directed spray into the leaf whorls. For control of second generation **European corn borer**, apply as a broadcast spray.

Chemigation: Tracer may be applied to corn at recommended broadcast rates through sprinkler imigation systems. Equipment should be calibrated to deliver the treatment in no more than 0.25 inch of water.

Sorghum, Milo, Pearl Millet, Proso Millet, and Grain Amaranth

Pests, Application Rates and Restrictions:

| Pests Controlled | Rate (fl oz/acre) | Recommendations and Restrictions |
|---|----------------------|---|
| armyworms corn earworm (headworm) southwestern corn borer web worms | 1.5 - 3.0 | General: Use a higher rate in rate range for heavy infestations and/or difficult spray coverage situations. Maximum Use Rate: Do not apply more than 14.4 ounces of Tracer (0.45 lb of spinosad) per acre per year. Preharvest Interval: Do not apply within 7 days of grain or fodder harvest or within 14 days of forage harvest. |

Specific Use Directions

Application Timing: Scout for armyworms and headworms with enough regularity to monitor egg laying and egg hatch. Applications of Tracer should be timed to coincide with peak egg hatch of each generation.

Soybeans

Pests, Application Rates and Restrictions:

| Pests Controlled | Rate (fl oz/acre) | Recommendations and Restrictions |
|--|----------------------|--|
| soybean looper velvet bean caterpillar green clover worm | 1-2 | General: Use a higher rate in rate range for heavy infestations and/or difficult spray coverage situations. Maximum Use Rate: Do not apply more than 6 ounces |
| armyworms (such as fall armyworm, yellowstripped armyworm, and beet armyworm) corn earworm (podworm) saltmarsh caterpillar | 1.5 - 2 | of Tracer (0.186 lb of spinosad) per acre per year. Feeding Restrictions: Do not feed treated forage or hay to meat or dairy animals. Preharvest Interval: Do not apply within 28 days of harvest. |

Specific Use Directions

Application Timing: Treat when field counts or crop injury indicates damaging pest populations are present or developing. Time applications to treat small larvae and use sufficient spray volume to ensure good coverage.

Wheat, Barley, Buckwheat, Rye, Oats, and Triticale

Pests, Application Rates and Restrictions:

| Pests Controlled | Rate (fi_oz/acre) | Recommendations and Restrictions |
|---|----------------------|--|
| cereal leaf beetle | 1-3 | General: Use a higher rate in rate range for heavy |
| armyworms (such as fall armyworm yellowstripped armyworm) | 1.5 - 3 | infestations and/or difficult spray coverage situations. Maximum Use Rate: Do not apply more than 9 ounces of Tracer (0.28 lb of spinosad) per acre per year. |
| | | Preharvest Interval: Do not apply within 21 days of grain or straw harvest or within 14 days of forage or hay harvest. |

Specific Use Directions

Application Timing: Scout for **armyworms** with enough regularity to monitor egg laying and egg hatch and treat when thresholds are reached. Applications of Tracer perform best when timed to coincide with peak egg hatch of each generation.

Warranty Disclaimer

Dow AgroSciences 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. Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, CR. ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Crop 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, temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, to nadoes,

hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences or the 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 Dow AgroSciences' 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.

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

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences 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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