

U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (H7505C) 401 "M" St., S.W. Washington, D.C. 20460

NOTICE OF PESTICIDE:

x Registration Reregistration

under FIFRA, as amended)

EPA Reg. Number:

62719-356 Date of Issuance:

MAY 23 2002 Expiration Date: June 1, 2007

Term of Issuance:

Unconditional

Name of Pesticide Product:

Clincher CA

Name and Address of Registrant (include ZIP Code):

Dow AgroSciences, LLC 9330 Zionsville Road Indianapolis, IN 46268

Note: Changes in labeling differing in substance from that accepted in connection with this registration must 24 submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

In the basis of information furnished by the registrant, the above named pesticide is hereby registered/reconstered under the Federal Insecticide, Fungicide and Rodenticide Act.

Engistration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or tencel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is registered in accordance with FIFRA sec. 3(c)(5) provided that you comply with the following terms and conditions of registration:

- 1. Make the following label changes listed below before you release the product for shipment:
  - a. Add the phrase, EPA Req. No. 62719-356.
  - b. Require closed mixing and loading systems for aerial application.
- 2. This end use product may only be formulated in accordance with the poundage limitation terms and conditions set forth in the terms and conditions in EPA Registration Notice of 62719-335.
- 3. Submit product information (pounds or gallons produced) for this product for each fiscal year during the period of this registration. The fiscal year begins October 1, and ends September 30. The product information will be submitted to the Agency no later than November 15, following the end of the preceding year.

Judnature : Asproving Orficials

/s

Date

MAY 23 2002

page 2 EPA Reg. No.62719-356

This information is to be submitted to:

Registration Support Branch Registration Division (7505C) Environmental Protection Agency Washington, D.C. 20460

#### and

Herbicide Branch Registration Division (7505C) Environmental Protection Agency Washington, D.C. 20460

- 4. Submit one (1) copy of the revised final printed label before you release the product for shipment.
- 5. Submit by June 1, 2006 the following studies conducted in accordance with the Good Laboratory Practice Standards, 40 CFR part 160; the Data Requirements for Registration Regulations, 40 CFR Part 158; and appropriate test guidelines as referenced in 40 CFR Part 158. Among other things, the foregoing provisions require that the submitted studies must include dosing at the maximum tolerated dose and must comply with the standards of acceptability set forth in 40 C.F.R. Section 158.80:
  - a. A subacute (28-day) inhalation toxicity study.
  - b. A carcinogenicity study in rats.
  - c. A carcinogenicity study in mice.
- 6. Submit completed Storage Stability (830.6317) and Corrosion Characteristics (830.6320) studies within eight (8) months of the date of this Registration Notice.
- 7. The registration of this product shall terminate automatically on June 1, 2007 unless the Agency, prior to that date, in writing, amends this term and condition to alter or eliminate this termination date.
- 8. If the registrant fails to comply with any of the terms and conditions set forth above, the Agency may cancel this registration in accordance with Section 6(e) of FIFRA.

Your release for shipment of the product constitutes acceptance of these terms and conditions of registration.

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EPA Reg. No.62719-356

A stamped copy of the label is enclosed for your records.

Joanne I. Miller Product Manger (23) Herbicide Branch Registration Division (7505C)

Enclosure

(Base Label):

(logo) Dow AgroSciences

# Clincher\* CA

# For selective postemergence grass weed control in rice

Active Ingredient(s): cyhalofop: 2-[4-(4-cyano-2- fluorophenoxy)

phenoxy] propanoic acid, butyl ester, (R) ......29.6%

Contains 2.38 lb of active ingredient per gallon. Contains petroleum distillates.

ACCEPTED
with COMMENTS
In EPA Letter Dated

MAY 23 2002

Under the Federal Insecticide, Fundicide, and Rodenticide Act as amunded, for the pesticide regimered under EPA Rog. No. 62719 - 356

# Keep Out of Reach of Children

# WARNING AVISO

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**

#### Hazards to Humans and Domestic Animals

Causes Substantial, But Temporary Eye Injury • Causes Skin Irritation • Harmful If Swallowed

Do not get in eyes or on skin or clothing.

### Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category F or G on an EPA chemical resistance category selection chart.

#### Applicators and other handlers must wear:

- · Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate or Viton
- · Chemical-resistant footwear plus socks
- Protective eyewear (goggles, face shield or safety glasses)
- On a daily basis, mixers and loaders for aerial applications are limited to handling no more than the amount of product sufficient to treat 800 acres.

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 Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

### **User Safety Recommendations**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- 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 on skin or clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

**If swallowed:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give **any** liquid to the person. Do not give anything by mouth to an unconscious person.

**Note to Physician:** Contains petroleum distillate - vomiting may cause aspiration pneumonia. No specific antidote. Provide supportive care. Treatment should be based on physician's judgment in response to reactions of the patient.

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

#### **Environmental Hazards**

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark except when treating rice fields as specified in this product label. Drift from ground or aerial applications is likely to result in damage to sensitive aquatic organisms in water bodies adjacent to the treatment area. Do not contaminate water when disposing of equipment wash waters or rinsate.

NOTE: See Surface Water and Ground Water advisories in label booklet under Environmental Hazards.

### **Physical or Chemical Hazards**

Do not use or store near heat or open flame.

#### 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. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

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

EPA Reg. No. 62719-356

EPA Est. \_\_\_\_\_

\*Trademark of Dow AgroSciences LLC

Dow AgroSciences LLC • Indianapolis, IN 46268 USA

Herbicide

Net Contents \_\_ Gal

(Label Booklet Cover):

(logo) Dow AgroSciences

# Clincher\* CA

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Contains 2.38 lb of active ingredient per gallon. Contains petroleum distillates.

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Refer to 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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(Page 1 through end):

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#### Applicators and other handlers must wear:

- · Coveralls over long-sleeved shirt and long pants
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- · Chemical-resistant footwear plus socks
- Protective eyewear (goggles, face shield or safety glasses)
- Or- a daily basis, mixers and loaders for aerial applications are limited to handling no more than the amount of product sufficient to treat 800 acres.

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.

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### **Environmental Hazards**

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**Surface Water:** This chemical can contaminate surface water through spray drift from aerial and ground application equipment. Treated rice paddy water can contaminate surface water through accidental release or overflow, or by deliberate release due to normal growing practices, including interim or final release of flood water at harvest

**Ground Water:** This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

### **Physical or Chemical Hazards**

Do not use or store near heat or open flame.

#### **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 12 hours.

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

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate or Viton
- · Chemical-resistant footwear plus socks
- Protective eyewear (goggles, face shield or safety glasses)

### Storage and Disposal

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

Storage: Store in cool dry place in original container.

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

Container Disposal (Plastic): 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. Plastic containers, after triple rinsing, may be incinerated if allowed by state and local authorities. If burned, stay out of smoke.

**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.

#### General Information

Clincher\* CA is a postemergence herbicide for selective control of grass weeds in rice. Clincher CA has no preemergence or soil residual activity. Only grass weeds emerged at the time of application are controlled. Clincher CA will not control broadleaf weeds or sedges.

#### General Use Precautions and Restrictions

- · Preharvest Interval: Do not apply within 60 days of rice harvest.
- Clincher CA is rainfast within two hours after application.
- Do not apply more than 15 fl oz/acre in a single application. Do not make more than two applications or apply more than 25 fl oz/acre during the growing season. Sequential applications must be at least 10 days apart.
- Water Holding Period: Do not allow discharge of paddy water from treated areas for a minimum of 7 days following the most recent application of Clincher CA.
- Do not rotate treated land to crops other than rice for 3 months following application.
- Do not apply where runoff or irrigation water may flow directly onto agricultural land other than rice fields.
- Do not fish or commercially grow fish, shellfish or crustaceans on treated acres during the year of treatment.
- · Do not apply if crop and weeds are under drought stress.
- Chemigation: Do not apply this product through any type of irrigation system.

#### Mixing Instructions

**Note:** On a daily basis, mixers and loaders for aerial applications are limited to handling no more than the amount of product sufficient to treat 800 acres.

### **Use of Surfactants**

Use of an agriculturally approved crop oil concentrate (COC) at a rate of 1 qt per acre must be used for all applications of Clincher CA. Read and follow all use directions and precautions on crop oil concentrate label.

#### Clincher CA - Alone

Fill spray tank to one-half (1/2) full with water. Start agitation. Add required quantity of Clincher CA and crop oil concentrate. Continue agitation while filling spray tank to required volume and during application.

#### Clincher CA in Tank Mix

Continuous agitation is required for tank mixes. Sparger pipe agitators generally provide the best agitation in spray tanks.

Mixing Order: Fill the tank one-third (1/3) full with water. Start the agitation. Different formulation types should be added in the following order: dry flowables (DF), wettable powders (WP), aqueous suspensions (AS), flowables (F), or liquids (L). Allow each product type to completely disperse before adding another. Continue agitation and fill the spray tank to three-fourths (3/4) full, add the correct quantity of Clincher CA or other emulsifiable concentrates (EC) and mix thoroughly. Finally, add any solution (S) formulations or surfactant, agitate and finish filling. Maintain agitation during filling and during application. If spraying and agitation must be stopped before the tank is empty, suspended materials may settle to the bottom. It is important to resuspend all of the settled material before continuing application. A sparger agitator is particularly useful for this purpose.

Carefully follow all mixing instructions for each material added to the tank. Initial dispersion of dry or flowable formulations can be improved by mixing with a small amount of water (slurrying) and pouring the slurry through a 20 to 35 mesh wetting screen in the top of the spray tank. Line screens in the tank should be no finer than 50 mesh (100 mesh is finer than 50 mesh).

# **Application Guidelines**

#### **Broadcast Spray Volume**

Apply in a spray volume of 10 to 15 gallons per acre when applying by air or ground equipment. It is recommended that the spray volume not exceed 15 gallons per acre.

### **Aerial Application**

Follow guidelines in the "Spray Drift Management" and "Aerial Drift Reduction Advisory" to minimize potential drift to off-target vegetation.

#### **Ground Application**

Use of flat fan nozzles designed for use with herbicides is recommended. Follow nozzle manufacturer's recommendations for nozzle pressure, spacing and boom height to provide a uniform spray pattern.

#### **Avoiding Injury to Non-target Plants**

Do not apply this product where drift may be a problem due to proximity to susceptible crops or other desirable plants. See Buffer Zones below for restrictions.

Spray drift produced during application is the responsibility of the applicator and care should be taken to minimize off-target movement of spray during application. A drift control agent suitable for agricultural use may be used with this product to aid in reducing spray drift. If used, follow all use recommendations and precautions on the product label.

### **Buffer Zones**

Buffer zones (distance between application and Sensitive crop) for wind speeds between 2 and 10 mph. Do not apply if wind speed is greater than 10 mph.

Sensitive crop	Ground Restrictions	Aerial Restrictions
Non-target cereal and grass crops such as corn, sugar cane sudangrass, sorghum, grass grown for seed, millet, and sod farms.	50 feet	450 feet
Peaches and nectarines	660 feet	2 miles if wind blowing from treatment area away from sensitive crop.     4 miles if wind blowing from treatment area toward sensitive crop.

### Spray Drift Management

Avoiding spray drift is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. Make applications only when there is little or no hazard from spray drift. The applicator, pest control advisor, and grower are responsible for considering all of these factors when making decision to apply this product.

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

- 1. The distance between the outer most nozzles on the boom must not exceed 2/3 of the wingspan of fixed-wing aircraft or 3/4 of the helicopter rotor width.
- 2. Nozzles must always point backward parallel to the air stream and never downward more than 45 degrees.

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

The applicator should be familiar with and take into account the information covered in the "Aerial Drift Reduction Advisory". In general, the best drift management strategy is to apply the largest dropiets that provide sufficient coverage and control.

#### **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 air stream 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:** Reducing the effective boom length to 2/3 of the wingspan of fixed-wing aircraft or 3/4 of the helicopter rotor width may further reduce drift without reducing swath width.

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

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

Wind: Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. Application is not allowed when wind speeds exceed 10 mph due to risk of direct drift to sensitive crops. Note: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift. Note: State and local regulations with regard to minimum and maximum wind speeds during aerial application may be more restrictive. Aerial applicators should be familiar with these regulations.

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

Temperature Inversions: Applications should not occur during a local, low level 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) is minimal (e.g., when wind is blowing away from the sensitive areas).

# **Application Timing**

Clincher CA may be applied to rice from the 1-2 leaf stage up to 60 days before harvest. Within this application window, application timing is dependent on cultural practices and optimum timing for weed species present. (See "Application Rates and Weeds Controlled" table.)

### Water Seeded Rice

A single postflood application is recommended. Fields must be partially drained prior to application to expose weeds. Residual water remaining in the field does not adversely affect weed control so long as weeds are at least 70% exposed. For delayed pin point application, do not allow excessive drying of the soil which may cause the weeds to become drought stressed, resulting in unacceptable weed control.

For best results, fields should be re-flooded 24-48 hours after application. Failure to re-flood within 24-48 hours after application may result in reduced grass control. **Note:** Do not apply more than 15 fl oz in a single application.

#### **Dry-Seeded Rice**

**Preflood:** Clincher CA may be applied prior to permanent flood. Good soil moisture conditions are essential for preflood applications. Flushing of rice fields may be necessary prior to application if rice and weeds are moisture stressed. If a field is flushed, make sure the field is drained prior to treatment so that grass weeds are fully exposed. For best results, fields should be flooded 24-48 hours after application.

**Postflood:** If applied postflood, fields must be partially drained prior to application to ensure that grass weeds are well exposed. Residual water remaining in the field (1-2 inches deep) does not adversely affect weed control so long as weeds are at least 70% exposed. For best results, fields should be reflooded 24-48 hours after application. If Clincher CA is applied as a postflood salvage treatment to control tillered grasses, it should be considered an emergency salvage treatment and total control of labeled grass weeds should not be expected.

# Application Rates and Weeds Controlled

# (For Use in the State of California)

Weeds Controlled Common name	Application Rates and Stage of Weed Development			
(scientific name)	13 fl oz/acre	15 fl oz/acre †		
Barnyardgrass (Echinochloa crus-gall) Bearded sprangletop (Leptochloa fascicularis) Broadleaf signalgrass (Brachiaria platyphylla) Early watergrass* (Echinochloa oryzoides) Junglerice (Echinochloa colona) Large crabgrass (Digitaria sanguinalis) Late watergrass* (Echinochloa phyllopogor) Red sprangletop (Leptochloa filiformis)	Up to 4 leaf prior to tillering	T⊛ered grasses		

<sup>†</sup> If applied as a rescue treatment, total control of labeled grass weeds should not be expected.

### **Tank Mixing**

Do not apply in tank mix combination with 2,4-D, MCPA, Shark (carfentrazon) or Londax (bensulfuron). Reduced grass control may result if Clincher CA is applied in tank mix combination with or immediately following other herbicides not listed above, especially if applied under conditions of plant stress and/or advanced weed growth stages.

<sup>&</sup>lt;sup>11</sup> Clincher CA may not reliably control known ACC ase resistant watergrass biotypes.

### 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

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 OR 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, tornadoes, 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, Inherent Risks of Use, and 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.

*Trademark of	Dow	AgroSciences	LLC
EPA-accepted	/_	_/	