

62719-477

07/19/2005

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-477	2. EPA Product Manager James A. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/ PastureGard	PM# PM / 25	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with <i>FIFRA</i> Section 3(c)(3) (b)(i), my product is similar or identical in Composition and labeling to: EPA Reg. No. Product Name	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated	NOTIFICATION JUL 19 2005
<input type="checkbox"/> Resubmission in response to Agency letter dated	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other- Explain below.	

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

Proposed Label Changes by Notification:

1. Updated trademark symbols throughout label.

2. Woody Plant Control: Added "Prunus spp." and "tallowtree, Chinese" to the table.

3. Broadleaf Weed Control: Added "thistle, musk" to the table.

4. Use Precautions and Restrictions: Per a June 13, 2005 meeting between Jim Tompkins (EPA) and John Jachetta (Dow AgroSciences), added the following text - "PastureGard is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, may result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes."

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No *Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point /Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name John J. Jachetta, Ph. D.	Title Regulatory Manager	Telephone No. (Include Area Code) 317/337-4686
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowing false or misleading statement may be punishable by fine or imprisonment both under applicable law.		8. Date Application Received (Stamped)
Signature 	3. Title Regulatory Manager	
4. Typed Name John J. Jachetta, Ph. D.	5. Date 06 July 2005	
* Trademark of Dow AgroSciences LLC		

PastureGard®

EPA Reg. No. 62719-477

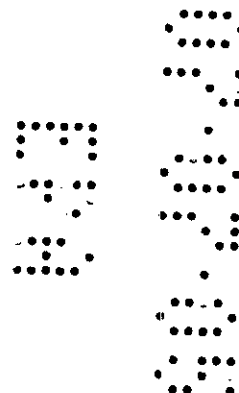
Registration Notes:

Source label text based on EPA-accepted copy dated April 27, 2004.

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®Trademark of Dow AgroSciences LLC



NOTIFICATION

JUL 19 2005

Base label:

(Logo) Dow AgroSciences

PastureGard®

For control of unwanted broadleaf herbaceous and woody plants in rangeland and permanent pastures, CRP acres and in non-crop areas, including fence rows, non-irrigation ditch banks, roadsides and around farm buildings using broadcast, foliar, basal bark or cut stump individual plant treatment methods

Active Ingredient:

triclopyr: 3,5,6-trichloro-2- pyridinyloxyacetic acid, butoxyethyl ester	25.0%
fluroxypyr: [(4-amino-3,5-dichloro-6-fluoropyridin-2-yl)oxy]acetic acid, 1-methylheptyl ester.....	8.6%
Inert Ingredients:	66.4%
Total Ingredients	100.0%

Contains petroleum distillates

Acid Equivalents: triclopyr - 17.97% - 1.5 lb/gal
fluroxypyr - 5.99% - -0.5 lb/gal

Keep Out of Reach of Children

DANGER PELIGRO

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

Precautionary Statements

Hazards to Humans and Domestic Animals**Corrosive • Causes Irreversible Eye Damage • Harmful If Swallowed****Do not get in eyes or on clothing. Avoid contact with skin.****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 selections chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate or Viton
- Shoes plus socks
- Protective eyewear (Goggles, face shield or safety glasses)

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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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.

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.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage. Contains petroleum distillate - vomiting may cause aspiration pneumonia.

Environmental Hazards

Fluroxypyr is toxic to fish. Drift or runoff from treated areas may be hazardous to aquatic organisms and non-target plants. 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 cleaning equipment or disposing of equipment washwaters.

Triclopyr 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.

Physical or Chemical Hazards

Combustible. 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 the 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.

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

Herbicide

Net Contents __ gal

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Datapack cover:

(Logo) Dow AgroSciences

PastureGard®

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EPA Reg. No. 62719-477

EPA Est. _____

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

Herbicide

Net Contents __ gal

(Page 1 through end):

Precautionary Statements

Hazards to Humans and Domestic Animals

DANGER

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Do not get in eyes or on clothing. Avoid contact with skin.

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 selections chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate or Viton
- Shoes plus socks
- Protective eyewear (Goggles, face shield or safety glasses)

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.

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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Environmental Hazards

Fluroxypyr is toxic to fish. Drift or runoff from treated areas may be hazardous to aquatic organisms and non-target plants. Do not apply directly to water, to areas where surface water is present or to intertidal

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areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

Triclopyr 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.

Physical or Chemical Hazards

Combustible. 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
- Chemical-resistant gloves such as Barrier Laminate or Viton
- Shoes plus socks
- Protective eyewear

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

Storage and Disposal

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

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

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

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

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Metal Container Disposal: 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

PastureGard® herbicide, an oil soluble, emulsifiable liquid product containing triclopyr and fluroxypyr herbicides, is recommended for the control of unwanted broadleaf herbaceous and woody plants in rangeland and permanent pastures, CRP acres and in non-crop areas, including fence rows, non-irrigation ditch banks, roadsides and around farm buildings. Individual plant treatments may be made using broadcast, foliar, basal bark, or cut stump application techniques. Broadcast or directed foliar spray treatments must be made to plants that are in full leaf at the time of application. PastureGard controls only broadleaf plants that are emerged at the time of application.

Use Precautions and Restrictions

- **Maximum Application Rate:** Do not apply more than 4 quarts per acre of PastureGard per annual growing season (0.5 lb a.e. fluroxypyr).
- The combination of PastureGard with any other product containing fluroxypyr or triclopyr cannot exceed the maximum of 0.5 lb a.e. fluroxypyr or 2.0 lb a.e. triclopyr per acre per annual growing season.
- The state of Arizona has not approved this product for use on plants grown for agricultural/commercial production; specifically on designated grazing areas.
- Do not use on bentgrass, alfalfa, or other desirable forbs, especially legumes such as clover, unless injury or loss of such plants can be tolerated.
- Do not apply directly to the banks of ditches used for irrigation or domestic purposes. Do not apply directly to water (see Environmental Hazards section).
- **Chemigation:** Do not apply this product through any type of irrigation system.
- PastureGard is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, may result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes.

Grass, Forage and Tree Tolerance

- **Established grasses are tolerant to this product.**
- **Maximum Application Rate:** Do not apply more than 0.5 lb a.e. fluroxypyr or 1.5 lb a.e. triclopyr (4 quarts per acre of PastureGard) per annual growing season.
- Do not use on alfalfa, or other desirable forbs, especially legumes such as clover, unless injury or loss of such plants can be tolerated.
- Legumes may be replanted 1 month or more after PastureGard application.
- **When Reseeding Grasses:**
 - When PastureGard is applied *before reseeding*, do not reseed treated areas for a minimum of three weeks after treatment.
 - When PastureGard is applied *following reseeding*, to avoid grass injury, do not apply until grass seedlings are well established as indicated by tillering (usually after 4 true leaves have emerged), development of a secondary root system and vigorous growth.
- **Grasses Grown for Seed:** Do not use from early boot to milk stage if grass is being grown for seed production.
- **Plant-back Restriction:** Only wheat, barley, oats or perennial forage grasses may be planted in treated fields within 120 days following application of PastureGard.

Grazing and Haying Restrictions

Grazing or harvesting green forage:

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- 1) **Lactating dairy animals:** Do not allow grazing or harvest green forage for lactating dairy animals from treated areas during the same growing season following application.
- 2) **Other Livestock:** No grazing restrictions.

Haying (harvesting of dried forage):

- 1) Do not harvest hay within 14 days after application.

Slaughter Restrictions: Withdraw livestock from grazing treated grass or consumption of treated hay at least 3 days before slaughter. This restriction is applicable to grazing or harvest of hay from treated areas during the same growing season following application.

Avoiding Spray Drift and Run-Off to Surface Water or Adjacent Land

This product should be used strictly in accordance with the run-off and drift precautions on this label in order to minimize off-site exposure and potential effects on aquatic organisms and non-target plants.

- **Avoiding Runoff:** Under certain conditions, this product may have a potential to run-off to surface water or adjacent land. Use of vegetation filter strips or treatment setbacks is recommended along rivers, creeks, streams, wetlands, etc or on the downhill side of treated areas where run-off could occur to minimize water runoff.

Spray Drift: 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, but the first choice should be a coarser spray category nozzle set-up. If used, follow all use recommendations and precautions on the product label.

Do not apply where drift may be a problem due to proximity to susceptible crops or other desirable broadleaf plants. Do not apply this product directly to, or otherwise permit contact with cotton, grapes, peanuts, soybeans, tobacco, vegetable crops, flowers, fruit trees, ornamentals, or other susceptible broadleaf plants. Do not permit spray mist or drift containing this product to contact susceptible plants because even very small quantities of the spray, that may not be visible, can cause severe injury during either active or dormant periods. Do not use in or around greenhouses.

Do not store or handle other agricultural chemicals in the same containers used for this product. Do not apply other agricultural chemicals or pesticides with equipment used to apply this product unless equipment has been thoroughly cleaned.

Ground Application: To minimize spray drift, apply PastureGard in a total spray volume of 5 or more gallons per acre using spray equipment designed to produce coarse or larger droplets per ASAE S-572 standard. Refer to the spray equipment manufacturer's recommendations for detailed information on nozzle types, arrangement, spacing and operating height and pressure. Spot treatments should be applied only with a calibrated boom to prevent over application. Operate equipment at spray pressures no greater than is necessary to produce a uniform spray pattern. Operate the spray boom no higher than is necessary to produce a uniformly overlapping pattern between spray nozzles. Do not apply with hollow cone-type insecticide nozzles or other nozzles that produce a fine-droplet spray.

Aerial Application

Non-Cropland Areas, Including Rights-of-Way (Helicopter Only): In non-cropland, **do not** apply this product with fixed-wing aircraft.

Rangeland and Permanent Pastures: Both fixed wing and helicopter equipment may be used to apply this product on rangeland, permanent pastures and pine plantations, but fixed wing aircraft require additional drift mitigation measures.

To minimize spray drift, apply PastureGard in a total spray volume of 3 or more gallons per acre using spray. Drift potential is lowest between wind speeds of 2 to 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 potential for temperature inversion. Spray drift from aerial application can be minimized by applying a coarse spray at per USDA-ARS/PAASS or nozzle manufacturer's guidelines or by using straight-stream nozzles directed straight back. Do not operate using a spray boom no longer than 75% of wing span or 85% of rotor width. For fixed wing aircraft, maximum speed during application is limited to 140 mph and application height above the vegetation canopy should not exceed 10 ft.

Spray Drift Management (Aerial Application)

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions. The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

1. The distance of the outer most nozzles on the boom must not exceed 75% the length of the wingspan or 85% of rotor width.
2. Nozzles must always point backward parallel with the air stream and must never be pointed downward 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 Advisory Information section.

Aerial Spray Drift Advisory Information

Importance of 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.

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** - Use the lower spray pressures recommended for the nozzle. Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types, lower pressure produces larger droplets. Higher pressure reduces droplet size and does not improve canopy penetration. 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 backwards, parallel to the airstream will produce larger droplets than other orientations and is the recommended practice. Significant deflection from the 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 65% of the wingspan or rotor length may further reduce drift without significantly reducing swath width.
- **Application** - 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.

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

Woody Plant Control

Applied as directed, PastureGard controls or suppresses the following woody plants and vines:

acacia, twisted	kudzu ^{††}	pricklyash
aspen	lantana [†]	privet
birch species	locust, black	primrose-willow
blackberry	locust, honey	<i>Prunus</i> spp.
dogwood	maple species (except	rose, Cherokee
elbowbush	bigleaf & vine [†])	rose, multiflora
elderberry	mesquite	rose, wild
elm (except winged elm)	milkweed vine [†]	saltbush (silver myrtle) [†]
granjeno	oak, poison	saltcedar ^{††} , ^{†††}
grape, wild	oak species	sassafras
greenbriar ^{††}	Osage-orange (Bois d'arc	sumac
guajillo	or hedge)	tallowtree, Chinese
guava [†]	palmetto ^{††}	trumpet creeper [†]
hackberry	peppervine [†]	Virginia creeper [†]
hawthorn	persimmon, eastern	waxmyrtle (top growth)
huisache	persimmon, Texas	willow
ivy, poison	poplar	yaupon
		yucca

[†] Basal or dormant stem applications only

^{††} Repeat application may be required.

^{†††} Basal or cut stump applications only.

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Broadcast Recommendations

General Woody Plant Control: Apply PastureGard when conditions are favorable for active growth, but only after leaves are fully expanded and terminal growth has slowed. Application to immature foliage during periods of rapid terminal growth will result in rapid defoliation, but translocation of the herbicide and woody plant control may be reduced. If brush has been mowed, best results are obtained when at least 9 - 12 months of regrowth following mowing is allowed before herbicide application (12 months is recommended in areas where growth conditions such as low rainfall have limited brush regrowth following mowing). Adequate soil moisture before and after treatment as well as healthy foliage at the time of application is important for optimal effectiveness. PastureGard will control only broadleaf plants that are emerged at the time of application.

Apply at the recommended rate (3 – 8 pints per acre, unless otherwise specified) in 4 or more gallons of water per acre by air or 10 or more gallons per acre by ground equipment. Use higher spray volumes to ensure adequate foliar coverage where brush canopy is dense. If applied in tank mix, follow applicable use directions, precautions and limitations on the respective labels (see instructions for tank mixing under Mixing Directions). The optimal rate of PastureGard will depend on brush size as well the species. For smaller brush (less than about 6 feet tall), 3-4 pints/acre will be sufficient. For larger brush and mixed brush canopies, apply 4-8 pints/acre.

Surfactant A nonionic surfactant or liquid fertilizer at 1-2 quarts per 100 gallons spray solution (0.25% – 0.5% v/v) may improve weed control for either broadcast or spot application, especially if plants are drought-stressed. To help minimize spray drift, a drift control and deposition aid cleared for application to growing crops is also recommended.

Recommendations for Specific Woody Plants:

Woody Plants Controlled	Broadcast Rate (pt/acre)	Application Timing:
Ash	3 - 8	Active growth
Blackberry	3 - 8 [†]	Apply when leaves are fully expanded and the foliage is dark green, either before first flower or after fruit drop. Application after fruit drop is preferred. Do not treat blackberries in the same year after mowing, shredding, or burning. Even one year after removal of top growth, blackberry stands will be more difficult to control than undisturbed stands and will require retreatment.
Elm	3 - 8	Apply late spring through summer to mature foliage
Flame sumac	3 - 8	Apply late spring through summer to mature foliage
Hawthorn	2 - 8	Apply late spring through summer to mature foliage
Honeylocust	3 - 8	Apply spring through summer to mature foliage
Honeysuckle	3 - 8	Apply late spring through summer to mature foliage
Lantana	3 - 8	Apply during active growth
Locust	2 - 8	Apply late spring through summer to mature foliage
Oak, blackjack	4 - 8	See below
Oaks	4 - 8	See below
Osage-orange (Bois d'arc or Hedge)	3 - 8 [†]	Apply late spring through summer to mature foliage
Persimmon	3 - 8	Apply late summer through fall under good growing conditions
Poplar	2 - 8	Apply late spring through summer to mature foliage
Prickly ash	3 - 8	Apply late spring through summer to mature foliage
Sumac	3 - 8	Apply late spring through summer to mature foliage
Wax Myrtle	2 - 8	Apply late spring through summer to mature foliage
Willow	2 - 8	Apply late spring through summer to mature foliage

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† Use a higher rate in this rate range if brush is large and/or dense.

Maximum Application Rate: Do not apply more than 0.5 lb a.e. fluroxypyr or 1.5 lb a.e. triclopyr (4 quarts per acre of PastureGard) per annual growing season.

Specific Use Recommendations:

When difficult to control species such as ash, choke cherry, elm, maple or oaks are prevalent, in late season when plant foliage is mature, or when growing conditions are less favorable, use the higher rate in rate range. PastureGard may be tank mixed with other herbicides such as Grazon® P+D specialty herbicide or Tordon® 22K specialty herbicide to control additional woody species listed on their respective labels.

Shinnery Oak Suppression: Apply PastureGard as a broadcast application at 4 pints per acre for suppression of shinnery oak growing on sandy soils.

Oaks, Post Oak and Blackjack Oak - Regrowth Stands: Apply in the late spring (May) to early summer (June) when oak leaves are fully developed (expanded). Use 5 or more gallons of spray solution per acre by air and 15 to 25 gallons per acre by ground equipment. Lower spray volumes and rates may be used for suppression only. Control will require 2 or more applications.

Individual Plant Treatment Methods

Individual Plant Treatment Method and Target Woody Plant(s)	Application Rate
High-Volume Foliar Treatment of Individual Plants Using Ground Equipment (not recommended for brush greater than 8 feet tall): twisted acacia, aspen, birch, blackberry, elbowbush, elderberry, elm, granjeno, grape, greenbriar, hackberry, hawthorn, lantana, maple, vine milkweed poison oak, post oak, Osage-orange, peppervine, eastern persimmon, poplar, pricklyash, primrose-willow, rose, sumac, trumpetcreeper, Virginia creeper, wax myrtle, willow	1 - 2 gallons of PastureGard/100 gallons of spray (1-2 % v/v) plus 1 qt of non-ionic surfactant

Specific Use Recommendations:

General: Optimum timing period is late spring through early fall when plants are actively growing, non-drought stressed, and minimal insect damage or defoliation.

Apply with a backpack or power sprayer using sufficient spray pressure to provide uniform plant coverage without forming a mist and direct spray no higher than tops of target woody plants. Use sufficient spray volume to thoroughly wet all leaves, stems, and root collars. To minimize spray drift, a drift control additive approved for growing crops is recommended. A dye marker may be added to the spray mixture as a means of marking treated plants.

Maximum Use Rate: For individual plant treatment with high-volume foliar sprays, do not apply more than 0.5 lb ae/acre of fluroxypyr per annual growing season (100 gallons of total spray mixture per acre at the 1 gallon/100 gallons rate or 50 gallons of total spray mixture per acre at the 2 gallon/100 gallons rate).

Mixing Chart for High-Volume Foliar Spray (Label rate range is 1 to 2 gallons per 100 gallons or 1-2% v/v)		
	Amount of Herbicide Required at Specified Rate	Amount of Surfactant

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Total Volume of Spray Mixture (gallons)	1 gal/100 gal (1% v/v)	2 gal/100 gal (2% v/v)	(0.25% v/v)
400	4 gal	8 gal	1 gallon
100	4 qt	8 qt	1 qt
50	4 pt	8 pt	1 pt
25	2 pt	4 pt	8 fl oz
14	18 fl oz	36 fl oz	4.5 fl oz
10	12.8 fl oz	25.6 fl oz	3.2 oz
5	6.4 fl oz	12.8 fl oz	1.6 fl oz
3	4 fl oz	8 fl oz	1 fl oz

Individual Plant Treatment Method and Target Woody Plant(s)	Application Rate
Basal Spray (Also Called Stem Spray Method): All woody plants listed.	50% PastureGard plus 50% oil (diesel, kerosene, or commercial basal carrier)

Specific Use Recommendations: Apply to stems less than 6 inches in diameter at any time, including winter months, except when snow or water prevent spraying to ground line. Apply with backpack or hand wand equipment using solid cone or flat fan nozzle at low pressure. Thoroughly wet the base and root collar of all stems to a height of 12 to 15 inches, but not to the point of runoff.

Maximum Use Rate: For basal spray application, do not apply more than 0.5 lb ae/acre of fluroxypyr per annual growing season (2 gallons of total spray mixture per acre).

Individual Plant Treatment Method and Target Woody Plant(s)	Application Rate
Streamline Basal Bark Treatment: mesquite, huisache, red maple, white and red oak, elbowbush, greenbriar, hackberry, pricklyash, yaupon and wild grape, eastern persimmon	50% PastureGard plus 50% oil (Diesel, kerosene or commercial basal carrier with 10% penetrant such as Cidekick penetrant)

Specific Use Recommendations: Apply to stems less than 3 inches in diameter at any time, including winter months, except when snow or water prevent spraying to ground line. Apply with backpack or hand wand equipment using straight stream nozzle at low pressure. Apply the spray in a 2 to 3 inch wide band 12 to 24 inches above the ground. Treat one side of stems less than 3 inches in diameter and a complete band around stems greater than 3 inches in diameter. For best results treat thin juvenile bark above rough thickened bark.

Maximum Use Rate: For streamline basal bark application, do not apply more than 0.5 lb ae/acre of fluroxypyr per annual growing season (2 gallons of total spray mixture per acre).

Individual Plant Treatment Method and Target Woody Plant(s)	Application Rate
Cut Stump Treatment: All woody plants listed.	50% PastureGard plus 50% oil (Diesel, kerosene or commercial basal carrier)

Specific Use Recommendations: Apply to freshly cut stumps. Apply with backpack or hand wand equipment using solid cone or flat fan nozzle at low pressure. Thoroughly wet the sides of the stump, root collar, and outer portion of the cut surface, including the cambium, but not to the point of runoff. Cut stump applications may be made at any time, including winter months, except when snow or water

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prevent spraying to ground line. For saltcedar, use undiluted PastureGard. If this rate is used, do not apply more than 1 gallon per acre per growing season.

Maximum Use Rate: For cut stump application (50% PastureGard plus 50% oil), do not apply more than 0.5 lb ae/acre of fluroxypyr per annual growing season (2 gallon of total spray mixture per acre).

Individual Plant Treatment Method and Target Woody Plant(s)	Application Rate
Thinline Basal Bark Treatment: Red maple, blackberry, dogwood, red oak and white oak	Undiluted PastureGard

Specific Use Recommendations: Control of susceptible woody plants with stems less than 6 inches in diameter, can be achieved with applications of undiluted PastureGard applied in a thin stream to all sides of the stems about 6 inches above the base of the plant. The stream should be directed horizontally to apply a narrow band of PastureGard around each stem or clump. From 2 to 15 ml of chemical is required for treatment of single stems and from 25 to 100 ml to treat clumps of stems. Use an applicator metered or calibrated to deliver the small amounts required.

Maximum Use Rate: For thinline basal bark application, do not apply more than 0.5 lb ae/acre of fluroxypyr per annual growing season (1 gallon of total spray mixture per acre).

Individual Plant Treatment Method and Target Woody Plant(s)	Application Rate
Growing Point and Leaf Base (Crown) Treatment: Palmetto, yucca	2% solution v/v (2 gal/100 gal)
Specific Use Recommendations: Thoroughly wet the center of the plant including growing point and leaf bases to the soil surface. Complete coverage of leaves is not necessary.	

Maximum Use Rate: For growing point and leaf base (crown) treatment of yucca, do not apply more than 0.5 lb ae/acre of fluroxypyr per annual growing season (50 gallons of total spray mixture per acre).

Broadleaf Weed Control

Applied as directed, PastureGard will control or suppress the following broadleaf weeds:

bedstraw (cleavers)	eveningprimrose, cutleaf	pennycress, field ^{††}
bindweed, field ^{††}	grape species	pigweed species
broomweed, annual	horsetail, field ^{††}	plantain
buckwheat, wild ^{††}	knotweed ^{††}	primrose, evening
burdock	kochia [†]	puncturevine
camphorweed	ironweed	purslane, common
carrot, wild (top growth)	lambsquarters	ragweed, common
chickweed	lespedeza, sericea	ragweed, giant
chicory	lettuce, prickly	ragweed, western
cinquefoil	mallow, common ^{††}	side, prickly
cinquefoil, sulfur	mallow, venice	sneezeweed, bitter
clover	marestail ^{††}	soda apple, tropical
clover, white	marshelder ^{††}	sunflower
cockle, white	maypop (passion flower)	thistle, musk
cocklebur	medic, black	thistle, Russian ^{††}
coffeeweed	Mexicantea	velvetleaf
dandelion (top growth)	Morningglory	vetch
dock, curly	mustard [†]	violet, wild
dogbane, hemp	nightshade species ^{††}	yarrow
dogfennel		

† Includes herbicide tolerant or resistant biotypes.

†† Indicates suppression. "Suppression" is expressed as a reduction in weed competition (reduction population or vigor) as compared to untreated areas. The degree of weed control and duration of effect may vary with weed size, density, application rate, coverage, and growing conditions before, during and after treatment.

General: For best results, apply when weeds are small and growing actively before the bud stage. Only weeds emerged at the time of treatment will be controlled. Apply when musk thistles or other biennial species are in the seedling to rosette stage and before flower stalks appear. Refer to the Weeds Controlled section for a listing of susceptible weed species and weeds that may be only partially controlled and require repeat applications and/or use of higher recommended rates, even under ideal conditions of application

Application Method and Target Weeds	Broadcast Rate (pt/acre)
Broadcast: Annual broadleaf weeds	1.5 - 2
Broadcast: Biennial and perennial broadleaf weeds	2 - 3
Spot (Small Area) Treatment: broadleaf weeds	Apply at rate comparable to "broadcast" See Instructions for Spot Treatment

Maximum Use Rate: For broadcast or spot application, do not apply more than 0.5 lb ae per acre of fluroxypyr (8 pt/acre of PastureGard) per annual growing season.

Specific Use Recommendations:

Kochia: Apply 1.5 – 2.0 pints per acre plus crop oil when kochia is less than 18 inches tall.

Sericea lespedeza: Apply 1.5 pints per acre after maximum foliage development, when plants are 12 –15 inches tall, in the late spring to early summer prior to bloom. Increase rate to 2 pints per acre for dense stands or later stages of growth. Use a minimum total spray volume of 10 gallons per acre for ground application, or a minimum of 3 gallons per acre by air. Higher application volumes are preferred when possible.

Spot application: Mix 6 pints PastureGard per 100 gallons of water (1 fl oz PastureGard per gallon of water). Apply the spray uniformly and thoroughly wet the *Sericea lespedeza* foliage. Tank mixing of PastureGard with other herbicides is not required to control *Sericea lespedeza*.

Tropical Soda Apple: Apply 3-4 pints per acre when tropical soda apple plants reach the first flower stage. For best results, apply in a total spray volume of 40 gallons per acre using ground equipment. An agricultural surfactant may be added at the manufacturer's recommended rate to provide more complete wetting and coverage of the foliage. Spot treatments may be used to control sparse plant stands. For spot treatment use a 1 to 1.5% solution of PastureGard in water (1 to 1 1/2 gallons of PastureGard in 100 gallons total spray mixture) and spray the entire plant to completely wet the foliage.

In Florida, control of tropical soda apple may be improved by using the following management practices:

- Mow plants to a height of 3 inches every 50 to 60 days or whenever they reach flowering. Continue the mowing operation through April.
- In late May to June (50 to 60 days after the April mowing) apply PastureGard as a broadcast treatment as recommended above.
- Use spot treatment as recommended above to control any remaining plants or thin stands of plants that germinate following a broadcast treatment.

Small Area Treatments

Treatments to a small area may be applied with a calibrated boom or with hand sprayers according to the following directions:

Hand-Held Sprayers: Hand-held sprayers may be used for spot (small area) applications of PastureGard. Care should be taken to apply the spray uniformly and at a rate equivalent to a broadcast application. Application rates in the table are based on a treatment area of 1,000 sq ft. Mix the amount of PastureGard (fl oz or ml) corresponding to the desired broadcast rate in the amount of spray volume needed to cover 1000 sq ft. To calculate the amount of PastureGard required for larger areas, multiply the table value (fl oz or ml) by the number of thousands of sq ft of area to be treated. An area of 1000 sq ft is approximately 10.5 X 10.5 yards (strides) in size.

Rate Conversion Table for Spot Treatment:

1 pt/acre	1.5 pt/acre	2 pt/acre	3 pt/acre	4 pt/acre
0.37 fl oz (11 ml)	0.55 fl oz (17 ml)	0.73 fl oz (22 ml)	1.10 fl oz (33 ml)	1.47 fl oz (44 ml)

† Conversion factors: 1 pt = 16 fl oz; 1 fl oz = 29.6 (30) ml

Conservation Reserve Program (CRP) Acres

Specific Use Recommendations:

General: Follow applicable use directions for the target weed or woody plant species to be controlled. For program lands such as CRP, consult program rules to determine whether grass or hay may be used. The more restrictive requirements of the program rules or this label must be followed. Use PastureGard on CRP acres only after perennial grasses are well established (see precaution for newly seeded grasses in Use Precautions and Restrictions section).

Restrictions: When applying to CRP lands, follow all applicable state and federal regulations. Follow the most severe grazing restriction imposed by the pesticide label or by the USDA Acreage Conservation Reserve Program. After that time period, follow local (CRP) guidelines regarding cropping and haying restrictions. Do not use PastureGard if damage or loss of existing legumes or other desirable broadleaf plants cannot be tolerated.

Mixing Directions

PastureGard will readily mix with oil or can be mixed with water to form an emulsion. For water mixtures, an agricultural surfactant at the manufacturer's recommended rate may be added to the spray mixture to provide improved wetting of foliage. For foliar applications, a drift control and deposition aid cleared for application to growing crops is recommended.

Water Dilutions: A water-based spray solution is recommended for broadcast and high volume foliar. Add PastureGard to 3/4 of the required amount of water and while agitating bring the spray mixture to the required volume. Add any surfactants or drift control agents to the mixture only after adding PastureGard. A nonionic surfactant or liquid fertilizer at 1-2 quarts per 100 gallons spray solution (0.25% – 0.5% v/v) may improve weed control for either broadcast or spot application, especially if plants are drought-stressed. To help minimize spray drift, a drift control and deposition aid cleared for application to growing crops is also recommended.

Oil Mixture Sprays for Basal Treatment: When preparing oil-based spray mixtures, use either diesel fuel, No. 1 or No. 2 fuel oil, kerosene or a commercially available basal oil. Substitute other oils or diluents only as recommended by the oil or diluent's manufacturer. When mixing with a basal oil or other oils or diluents, read and follow the use directions and precautions on the manufacturer's product label. Add PastureGard to the required amount of oil in the spray tank or mixing tank and mix thoroughly. If the mixture stands over 4 hours, reagitation is required.

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Tank Mixing

PastureGard may be applied in tank mix combination with labeled rates of other herbicides provided (1) the tank mix product is labeled for the timing, method of application and use site to be treated; and (2) tank mixing is not prohibited by the label of the tank mix product.

Tank Mixing Precautions:

- Read carefully and follow all applicable use directions, precautions, and limitations on the respective product labels.
- Do not exceed recommended application rates. If products containing the same active ingredient are tank mixed, do not exceed the maximum allowable use rate for the active ingredient.
- For direct injection or other spray equipment where the product formulations will be mixed in undiluted form, special care should be taken to ensure tank mix compatibility.
- Always perform a (jar) test to ensure the compatibility of products to be used in tank mixture.

Tank Mix Compatibility Testing: A jar test is recommended prior to tank mixing to ensure compatibility of PastureGard and other herbicides or spray carriers. Use a clear glass quart jar with lid and mix the tank mix ingredients in their relative proportions. Invert the jar containing the mixture several times and observe the mixture for approximately 1/2 hour. If the mixture balls-up, forms flakes, sludges, jels, oily films or layers, or other precipitates, it is not compatible and the tank mix combination should not be used.

Cleaning Instructions for Spray Equipment

To avoid injury to desirable plants, equipment used to apply PastureGard should be thoroughly cleaned before reusing to apply any other chemicals.

1. Rinse and flush application equipment thoroughly after use. Flush the entire system at least three times with water, and dispose of rinse water in non-cropland area away from water supplies.
2. During the second rinse, add 1 qt of household ammonia for every 25 gallons of water. Circulate the solution through the entire system so that all internal surfaces are contacted (15 to 20 min.). Let the solution stand for several hours, preferable overnight.
3. Flush the solution out the spray tank through the boom.
4. Rinse the system twice with clean water, recirculating and draining each time.
5. Nozzles and screens should be removed separately.

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 Limitation 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. 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 Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

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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 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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EPA accepted 04-27-04

NOTIFICATION ^{21/2}
JUL 19 2005

308/2E
July 6, 2005



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 South Bell Street
Arlington, VA 22202

PASTUREGARD (AI: TRICLOPYR, FLUROXYPYR)
EPA REGISTRATION NUMBER: 62719-477
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

Attn: James Tompkins (PM/25)

As we had decided in our meeting of June 13, 2005, I am submitting a new advisory statement by notification for our Triclopyr BEE based products. This statement is to address the concerns of the California County Agricultural Commissioners that Triclopyr BEE formulations may volatilize when applied to hot rocks and other impervious surfaces as part of a roadside application. You had reviewed this language during our meeting and approved this update for submission as a notification. We very much appreciate your assistance with this small matter, as it is important to the State of California.

Enclosed please find labeling for the notification action of PastureGard® herbicide. The following changes have been made by notification:

1. Updated trademark symbols throughout label.
2. Woody Plant Control: Added "*Prunus* spp." and "tallowtree, Chinese" to the table.
3. Broadleaf Weed Control: Added "thistle, musk" to the table.
4. Use Precautions and Restrictions: Per a June 13, 2005 meeting between Jim Tompkins (EPA) and John Jachetta (Dow AgroSciences), added the following text – "PastureGard is formulated as a low volatile ester. However, the combination of spray contact with impervious surfaces, such as roads and rocks, and increasing ambient air temperatures, may result in an increase in the volatility potential for this herbicide, increasing a risk for off-target injury to sensitive crops such as grapes and tomatoes."

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

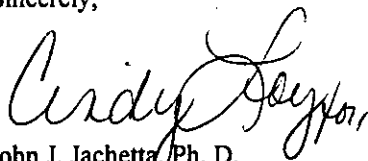
Contents of Submission

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled PastureGard® (R2C / PastureGard / MSTR Notif / 07-06-05)
(18 Pages plus Registration Notes) (5 Copies)

PASTUREGARD (AI: TRICLOPYR, FLUROXYPYRFLUROXYPYR)
EPA REGISTRATION NUMBER: 62719-477
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10
July 6, 2005
Page 2

If you require further information, please contact Cindy Loy, Regulatory Specialist at 317-337-4655 or Chris Hutchison, Registration Assistant for this product, at 317-337-4976.

Sincerely,



John J. Jachetta, Ph. D.
Regulatory Leader
Regulatory Success – Americas
317-337-4686
317-337-4649 (FAX)

Enclosures

/pkm