



U.S. ENVIRONMENTAL PROTECTION AGENCY  
 Office of Pesticide Programs  
 Registration Division (7505C)  
 Ariel Rios Building  
 1200 Pennsylvania Ave. NW  
 Washington, D.C. 20460

EPA Reg. Number:  
 62719-514

Date of Issuance:  
 October 28,  
 2004

Term of Issuance:  
 Conditional - Expiration  
 date - September 30, 2009

Name of Pesticide Product:  
 Granite™ SC

**NOTICE OF PESTICIDE:**  
 **Registration**  
 **Reregistration**  
 (under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):  
 Dow AgroSciences LLC  
 9330 Zionsville Road  
 Indianapolis, IN 46268-1054

**Note:** Changes in labeling differing in substance from that accepted in connection with this registration must be 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.

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

Registration 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 cancel 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 conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Submit/cite all data required for the registration/ reregistration of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

- COMMENTS CONTINUED ON PAGE 2 OF THIS NOTICE OF REGISTRATION -

Signature of Approving Official:

*Joanne I. Miller*

Joanne I. Miller, Product Manager 23  
 Herbicide Branch, Registration Division

Date:

OCT 28 2004

2/13

Page 2 Continued from first page.

2. Submit the following studies for review:

- a. Seed germination/seeding emergence studies, vegetative vigor studies, and an aquatic plant growth study using Duckweed with the degradates, BSA, 2-amino-TP, TPSA, BSTCA methyl, BSTCA, 2-amino-TCA, 5-OH-penoxsulam, SFA, sulfonamide, 5,8-di-OH and 5-OH 2 amino TP.
- b. In addition, several of the studies with degradates performed or repeated for additional organisms will be needed once the Agency completes our analyses.
- c. Test terrestrial plants using the liquid and end-use products of penoxsulam.
- d. An enforcement method revised as recommended in the Analytical Chemistry Laboratory, memo dated September 17, 2004. Submit within 30 days of the date of this registration notice.
- e. One-year storage stability (830.6317) and corrosion characteristics (630.6320) studies on this product.

3. Final report of the ongoing storage stability study must be submitted in support of any future food uses.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

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

Enclosures: Stamped copy of label

(Base Label):

(Logo) Dow AgroSciences

# Granite™ SC

## Herbicide

### For selective postemergence weed control in rice in the state of California

Active Ingredient:

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide .....	21.7%
Inert Ingredients .....	78.3%
Total .....	100.0%

**ACCEPTED**  
 OCT 28 2004  
 Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.  
62719-514

Contains 2 lb of active ingredient per gallon.

**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.)

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### Precautionary Statements

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#### Hazards to Humans and Domestic Animals

**Harmful if Inhaled**

**Avoid breathing spray mist.**

#### 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.

#### 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.

4/13

**First Aid**

**If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

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**

Except when treating rice fields as specified in this product label, do not apply directly to water, or 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 washwater or rinsate.

**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](http://www.dowagro.com).

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

EPA Reg. No. 62719-514

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

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Dow AgroSciences LLC • Indianapolis, IN 46268 USA

**Net Contents** \_\_\_\_\_

(Label Booklet Cover):

(logo) Dow AgroSciences

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Inert Ingredients .....	78.3%
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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.**

**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.**

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6/13

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## Precautionary Statements

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### Hazards to Humans and Domestic Animals

## CAUTION

#### Harmful If Inhaled

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#### 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.

#### 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.

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Users should:

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

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Except when treating rice fields as specified in this product label, do not apply directly to water, or 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 washwater or rinsate.

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#### Directions for Use

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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 made of any waterproof material
- Shoes plus socks

### **Storage and Disposal**

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

**Pesticide 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 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 incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### **General Information**

Granite™ SC herbicide is a postflood, postemergence herbicide for selective control of susceptible grass, broadleaf, and sedge weeds in California rice. Susceptible weeds emerged at the time of application or which germinate soon after application will be controlled. A spray volume of 10 gallons per acre (gpa) or more and uniform coverage are required for optimum performance. Granite SC is rainfast within 1 hour after application and has soil residual herbicidal activity dependent on weed species, soil type, soil moisture (rainfall or irrigation after application) and the rate of application. Granite SC can be applied to rice fields used for crayfish production.

Rice crops grown under adverse environmental conditions, such as extreme cold or heat, may express temporary crop injury when Granite SC is applied including slight height reduction or root stunting. Any crop stress or environmental factors which decrease plant metabolism and growth may reduce weed control efficacy and crop tolerance. Such effects are transient and do not affect yield. Granite SC may be used on all rice varieties.

### **General Use Precautions and Restrictions**

- **Preharvest Interval:** Do not apply within 60 days of rice harvest.
- Do not rotate treated land to crops other than rice for 3 months following application.
- Do not use organosilicone surfactants in spray mixtures of this product.
- Do not apply where runoff or irrigation water may flow directly onto agricultural land other than rice fields.
- Do not tank mix Granite SC with malathion or methyl parathion. Do not make an application of malathion or methyl parathion within 7 days of an application of Granite SC.

8/13

- Do not apply Granite SC directly to, or otherwise permit Granite SC to come into contact with, cotton, soybeans, grapes, tobacco, vegetable crops, flowers, ornamental shrubs or trees, or other desirable broadleaf plants, as serious injury may occur. Do not permit spray mists containing Granite SC to drift onto desirable broadleaf plants.
- Application of Granite SC to fields which have been leveled (except water leveling) within 12 months prior to application may result in serious rice injury in areas that have been cut or filled.
- Application of Granite SC to rice grown in soils with pH >7.8 or high salt content may result in serious rice injury.
- Except for crayfish, do not fish or commercially grow fish, shellfish or crustaceans on treated acres during the year of treatment.
- Do not make more than 1 application or apply more than 2.8 fl oz of Granite SC per acre (0.044 lb ai penoxsulam) during the growing season.
- Do not allow tank mixes of Granite SC to sit overnight.
- Do not overlap or double spray ends of fields.
- Do not apply to drought stressed weeds.
- Do not use on wild rice.
- **Chemigation:** Do not apply this product through any type of irrigation system.

### Mixing Instructions

#### Use of Adjuvants

Use of an agriculturally approved crop oil concentrate at a rate of 2.5% (v/v) must be used for all applications of Granite SC. Read and follow all use directions and precautions on crop oil concentrate labels.

#### Granite SC - Alone

Fill spray tank to one-half full with water. Start agitation. Add correct quantity of Granite SC and crop oil concentrate. Continue agitation while filling spray tank to required volume and during application.

#### Granite SC - Tank Mix

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

**Tank Mix Compatibility Testing:** When tank mixing Granite SC with other materials, a compatibility test (jar test) using relative proportions of the tank mix ingredients should be conducted prior to mixing ingredients in the spray tank. 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 one-half (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.

**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 tank to three-fourths (3/4) full, add the correct quantity of Granite SC 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. Do not allow tank mixes to set overnight.

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).



## 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, crop consultant, and grower are responsible for considering all of these factors when making the decision to apply this product.

**Avoid all direct or indirect contact with non-target plants.** Do not apply near desirable vegetation. Allow adequate distance between target area and desirable plants to minimize exposure.

**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).

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 70% of the wingspan of fixed-wing aircraft or 80% of the helicopter rotor width.
2. Nozzle set up must use a coarse spray quality category per ASAE S-572 Standard.

Where states have more stringent regulations, they must be followed.

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 droplets that provide sufficient coverage and control.

### Endangered Species

If endangered plant species occur in the proximity of the application site, the following mitigation measure is required to avoid adverse effects:

- Leave untreated buffer zones of 85 feet for ground applications or 470 feet for aerial applications.

To determine whether your county has an endangered terrestrial plant species, consult <http://www.epa.gov/espp/usa-map.htm>. Endangered Species Bulletins may also be obtained from extension offices or state pesticide agencies. If the bulletin is not available for your specific area, check with the appropriate local state agency to determine if known populations of terrestrial endangered plants occur in the area to be treated.

### Aerial Drift Reduction Advisory

**Information on Droplet Size:** For ASAE S-572 Standard compliance, see nozzle manufacturer catalogs, NAAA booklet, or USDA literature or website <http://apmru.usda.gov/> for nozzle and application conditions. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Larger droplets reduce 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.
- **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.

- **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 70% of the wingspan of fixed-wing aircraft or 80% 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 downwind. Therefore, the applicator must compensate for this displacement by adjusting the path of the aircraft or boom on-off. Swath adjustment distance should increase, with increasing drift potential (higher wind, height, 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. Small droplets 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. 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.

## Application Instructions

### Environmental Conditions and Herbicidal Activity of Granite SC

Factors for effective weed control with Granite SC include proper application rate, weed size, daytime temperature, soil moisture prior to and following application, and use of adjuvants. Best weed control results are obtained when Granite SC is applied to small, actively growing weeds, when daytime temperatures are warm (60°F or more), and soil moisture is adequate to support active weed growth prior to and following application. If weeds are under drought stress, consider delaying application until more favorable conditions resume. Application when weeds are moisture stressed or taller than the recommended height for control may result in only partial control.

- Granite SC is rainfast in 1 hour.
- Applications made immediately prior to, during, or immediately following periods of large day/night temperature fluctuations or where daytime temperatures do not exceed 60°F may decrease weed control.
- Poor weed control may result from application made to plants under stress from abnormally hot or cold weather; environmental conditions such as drought, hail damage, or high pH soils; or prior herbicide applications.

11/13

**Aerial Application**

Apply in a spray volume of 10 gpa or more when applying by air. Apply with coarse droplet category per S-572 ASAE standard; see NAAA, USDA or nozzle manufacturer guidelines. Follow guidelines in the Spray Drift Management and Aerial Drift Reduction Advisory to minimize potential drift to off-target vegetation. Aircraft should be patterned per Operation Safe/PAASS program for calibration and uniformity to provide sufficient coverage and control.

**Ground Application**

Apply in a spray volume of 10 gpa or more when applying by ground. Use coarse or coarser nozzle spray quality per S-572 ASAE standard; see USDA literature or nozzle manufacturer guidelines. Follow nozzle manufacturer's recommendations for nozzle pressure, spacing and boom height to provide a uniform spray pattern. Follow appropriate Spray Drift Management information where drift potential is a concern.

**Application Timing**

Granite SC may be applied to rice from rice emergence (drill seeded rice) or rice pegging with 1 leaf (water seeded rice) 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.) Do not apply if crop or weeds are under drought stress.

**California Rice:**

A single postflood application is recommended. Fields must be partially drained to expose weeds prior to application. 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, soils should be moist at application and maintain good soil moisture after application by flushing or rainfall until establishment of permanent flood.

**Resistance Management**

The mode of action of Granite™ SC herbicide is the inhibition of the acetolactate synthase (ALS) enzyme. Weed populations may develop biotypes that are resistant to different herbicides with the same mode of action. If herbicides with the same mode of action are used repeatedly in the same field, resistant biotypes may eventually dominate the weed population and may not be controlled by these products. Other resistance mechanisms, such as enhanced metabolism, may also exist and may cause reduced weed control.

This product should be used as part of an Integrated Pest Management (IPM) program that may include biological, cultural, and chemical practices aimed at preventing economic pest damage. Application of this product should be based on appropriate IPM and resistance management strategies and practices that delay or reduce the development of resistant weed biotypes. Such practices include, but are not limited to, field scouting, use of weed free crop seed, proper water management, correct weed pest identification, following rotational practices outlined on pesticide labels, and treating when target weed populations are at the correct stage and economic thresholds for control. Make only 1 application per year of Granite SC.

To delay development of herbicide resistance, the following practices are recommended:

- Avoid the use of herbicides with a similar mode of action in sequential applications and consecutive years for control of the same weed species. Granite SC may not reliably control known ALS resistant weed biotypes.
- The use of herbicides with the same mode of action should not be used in sequential applications.
- Granite SC can be tank mixed or used sequentially with other approved ALS mode of action products to broaden the spectrum of weed control and control weeds that Granite SC does not control.
- Herbicides should be used based on an IPM program.
- Monitor treated areas and control escaped weeds.

12/13

- Contact local extension or crop advisor for IPM and resistance management information.

**Application Rates and Weeds Controlled**

Weeds Controlled Common name (scientific name)	Application Rates and Stage of Weed Development	
	2.0 to 2.3 fl oz/acre	2.3 to 2.8 fl oz/acre
barnyardgrass ( <i>Echinochloa crus-galli</i> )	Up to 5 leaf	2 to 3 tiller
California arrowhead ( <i>Sagittaria montevidensis</i> spp <i>Calycina</i> )		Prior to heading
common waterplantain ( <i>Alisma plantago-aquatica</i> )		
ducksalad ( <i>Heteranthera limosa</i> )		
monochoria ( <i>Monochoria</i> spp)		
redstem <sup>†</sup> ( <i>Ammania</i> spp)		
ricefield bulrush ( <i>Scirpus mucronatus</i> )		
watergrass ( <i>Echinochloa oryzoides</i> )		
<b>Weeds Suppressed</b>		
Gregg's arrowhead ( <i>Sagittaria longiloba</i> )	Up to 3 leaf	
rice mimic ( <i>Echinochloa</i> spp)		
smallflower umbrellaplant ( <i>Cyperus difformis</i> )		

<sup>†</sup> If Granite SC is applied as a rescue treatment (e.g., heavy weed infestations, headed weeds and/or previously untreated areas), it should be considered an emergency salvage treatment and good control of labeled weeds should not be expected. Regrowth of treated weeds may occur.

**Note:** Do not make more than 1 application or apply more than 2.84 fl oz of Granite SC per acre (0.0444 lb ai penoxsulam) during the growing season.

**Tank Mixing**

Granite™ SC herbicide may be applied in tank mix combination (see Mixing Instructions) with labeled rates of products registered for postemergence application in rice unless prohibited by this label. When tank mixing, follow label directions, including application rates, use precautions and limitations on each respective label.

**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

13/13

IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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**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.

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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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