

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20465

OFFICE OF PREVENTION PESTICIDES AND FOXIC SUBSTANCES

October 26, 2006

John J. Jachetta, Ph.D. Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268

SUBJECT:

Application for Pesticide Notification

Garlon® XRT

EPA Reg. No. 62719-553

Application Dated September 29, 2006

Dear Dr. Jachetta:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above product. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff ` at 703-305-6117.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader

Registration Division (7505P)

Office of Pesticide Programs

Please read instructions on revers	se before completir	ng form.			Form Approv	ved. (	OMB No. 2	070-006	O. Approva	expires 2-28-95
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Name John J. Jachetta, Ph.D.			1		•		de Area Code) 317-337-4649)			
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andy Lay 10			Regulatory Manager							
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John J. Jachetta, Ph.D. (jjjachetta@dow.com)			September 29, 2006							



# NOTIFICATION OCT 2 6 2006

308/2E September 29, 2006



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

GARLON XRT (A.I. TRICLOPYR) EPA REGISTRATION NUMBER: 62719-553 NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

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

- General Use Precautions and Restrictions: In third bullet point, added "forest" before "roadsides" to clarify where the product may be used.
- 2. Application Methods: Added the following to the end of the first paragraph to clarify the use directions "It is highly recommended that a 'jar' test be performed when concentrated dilutions (>7% v/v). More vigorous agitation may be needed to maintain a homogeneous spray mix over an extended period of time."

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 Garlon XRT (L1A/Garlon XRT/MSTR Notif/09-29-06) (18 Pages plus Registration Notes) (5 Copies)

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

Trademark of Dow AgroSciences LLC

L1A / Garlon XRT / MSTR Notif / 09-29-06 file: Garlon XRT-553 MSTR 29Sep06N.doc

## Garlon<sup>®</sup> XRT

EPA Reg. No. 62719-553

NOTIFICATION

OCT 26 2006

#### **Registration Notes:**

**Source label text** based on EPA-accepted copy dated July 11, 2006 and notification coded "L1A/Garlon XRT/MSTR Notif/09-18-06."

Changes by notification:

1. General Use Precautions and Restrictions: In third bullet point, added "forest" before "roadsides" to clarify where the product may be used.

2. Application Methods: Added the following to the end of the first paragraph to clarify the use directions — "It is highly recommended that a 'jar' test be performed when concentrated dilutions (>7% v/v). More vigorous agitation may be needed to maintain a homogeneous spray mix over an extended period of time."

<sup>&</sup>quot;Trademark of Dow AgroSciences LLC



(Base label):

(logo) Dow AgroSciences

#### NOTIFICATION

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### Garlon® XRT

#### **Specialty Herbicide**

For the control of woody plants and annual and perennial broadleaf weeds in non-crop areas, including industrial manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, roadsides, railroads, fence rows, non-irrigation ditch banks, forests and in the establishment and maintenance of wildlife openings. Use on these sites may include application to grazed areas.

Active Ingredient:

triclopyr: 3,5,6-trichloro-2pyridinyloxyacetic acid,

Acid equivalent: triclopyr - 60.3% - 6.3 lb/gal

#### Keep Out of Reach of Children

#### WARNING ADVISO

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 • Harmful If Swallowed • Prolonged Or Frequently Repeated Skin Contact May Cause Allergic Reactions In Some Individuals

Do not get in eyes or on clothing. Avoid contact with skin. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

#### Personal Protective Equipment (PPE)

Applicators and other handlers who handle this pesticide must wear:

- · Long-sleeved shirt and long pants
- · Shoes plus socks
- · Chemical-resistant gloves such as nitrile or butyl
- Protective eyewear

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### **Engineering Controls**

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the WPS (40 CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

#### **User Safety Recommendations**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### First Aid

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

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

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.

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

#### **Environmental Hazards**

This pesticide is toxic to fish. 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.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

#### **Agricultural Use Requirements**

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

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

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

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

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

EPA Reg. No. 62719-553

· EPA Est. \_\_\_\_\_

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Dow AgroSciences LLC • Indianapolis, IN 46268 USA

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

(Datapack cover):

(logo) Dow AgroSciences

NOTIFICATION
OCT 2 6 2006

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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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#### WARNING

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Do not get in eyes or on clothing. Avoid contact with skin. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

#### Personal Protective Equipment (PPE)

Applicators and other handlers who handle this pesticide must wear:

- · Long-sleeved shirt and long pants
- · Shoes plus socks
- · Chemical-resistant gloves such as nitrile or butyl
- Protective eyewear

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### **Engineering Controls**

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the WPS (40 CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

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This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

#### **Directions for Use**

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation.

#### **Agricultural Use Requirements**

The requirements in this box apply to forestry uses.

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, restricted-entry interval, and notification to workers (as applicable). The requirements in this box 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.

For early entry into 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, wear:

- Coveralls
- Chemical-resistant gloves
- Shoes plus socks
- Protective eyewear

#### Non-Agricultural Use Requirements

The requirements in this box apply to all use sites on this label except for forestry uses.

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Entry Restrictions for Non-WPS Uses: For applications to non-cropland areas, do not enter or allow others to enter the treated area until sprays have dried.

#### Storage and Disposal

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

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

Pesticide Disposal: Wastes resulting from the use of this product (that cannot be used according to label instructions) must be disposed of on site or at an approved waste disposal facility.

Container Disposal: 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

Use Garlon® XRT specialty herbicide for the control of woody plants and annual and perennial broadleaf weeds in non-crop areas, including industrial manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, roadsides (including forest roadsides) and railroads, fence rows, non-irrigation ditch banks, forests and in the establishment and maintenance of wildlife openings. Use on these sites may include application to grazed areas.

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

In Arizona: The state of Arizona has not approved Garlon XRT for use on plants grown for commercial production; specifically forests grown for commercial timber production, or on designated grazing areas.

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

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

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

It is permissible to treat non-irrigation ditch banks, seasonally dry wetlands (such as flood plains, deltas, marshes, swamps, or bogs) and transitional areas between upland and lowland sites where surface water is not present except in isolated pockets due to uneven or unlevel conditions. Do not apply to open water (such as lakes, reservoirs, rivers, streams, creeks, salt water bays, or estuaries).

Do not apply on ditches currently being used to transport irrigation water. Do not apply where runoff or irrigation water may flow onto agricultural land as injury to crops may result.

Do not apply this product using mist blowers unless a drift control additive, high viscosity inverting system, or equivalent is used to control spray drift.

Sprays applied directly to Christmas trees may result in conifer injury. When treating unwanted vegetation in Christmas tree plantations, care should be taken to direct sprays away from conifers.

Gàrlon XRT 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.

- Apply no more than 2.5 pints (1.25 quarts) of Garlon XRT (2 lb ae of triclopyr) per acre per growing season on range and pasture sites, including rights-of-way, fence rows or any area where grazing or harvesting is allowed.
- On forestry sites, Garlon XRT may be used at rates up to 4 quarts (6 lb ae of triclopyr) per acre per year.
- Garlon XRT may be used at rates up to 5 quarts (8 lb ae of triclopyr) per acre per year on non-crop areas including industrial manufacturing and storage sites, non-grazed portions of rights-of-way including electrical power lines, communication lines, pipelines, forest roadsides and railroads, rence rows, and non-irrigation ditch banks. Portions of grazed areas that intersect treated non-cropland, rights-of-way and forestry sites may be treated at up to 8 lb ae per acre if the area to be treated on the day of application comprises no more than 10% of the total grazable area.

#### **Grazing and Haying Restrictions**

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



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

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

#### **Avoiding Injurious Spray Drift**

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

Aerial Application (Helicopter Only): For aerial application on rights-of-way or other areas near susceptible crops, apply through a Microfoil<sup>†</sup> or Thru-Valve boom, or use an agriculturally labeled drift control additive. Other drift reducing systems or thickened sprays prepared by using high viscosity inverting systems may be used if they are made as drift-free as mixtures containing agriculturally labeled thickening agents or applications made with the Microfoil or Thru Valve booms. Do not use a thickening agent with the Microfoil or Thru Valve booms, or other systems that cannot accommodate thick sprays. Spray only when the wind velocity is low (follow state regulations). Avoid application during air inversions. If a spray thickening agent is used, follow all use recommendations and precautions on the product label.

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

#### Spray Drift Management

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

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

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

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

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

#### **Aerial Drift Reduction Advisory**



**Information on Droplet Size:** The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

#### **Controlling Droplet Size:**

- **Volume** Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle
  types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow
  rate nozzles instead of increasing pressure.
- Number of Nozzles Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle Orientation** Orienting nozzles so that the spray is released parallel to the airstream produced larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- Nozzle Type Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

**Boom Length:** For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

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

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

Wind: Drift potential is lowest between wind speeds of 2 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 inversion potential. Note: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

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

Temperature Inversions: Applications should not occur during a 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 pover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of the smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas: The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).



Ground Equipment: To aid in reducing spray drift, Garlon XRT should be used in thickened (high viscosity) spray mixtures using an agriculturally labeled drift control additive, high viscosity invert system, or equivalent as directed by the manufacturer. When using a spray thickening or inverting additive, follow all use directions and precautions on the product label. With ground equipment, spray drift can be reduced by keeping the spray boom as low as possible; by applying 20 gallons or more of spray per acre; by keeping the operating spray pressures at the lower end of the manufacturer's recommended pressures for the specific nozzle type used (low pressure nozzles are available from spray equipment manufacturers); and by spraying when wind velocity is low. Do not apply with nozzles that produce a fine droplet spray. Select nozzles and pressures which provide adequate plant coverage, but minimize the production of fine spray particles.

**High Volume Leaf-Stem Treatment:** To minimize spray drift, keep sprays no higher than brush tops and keep spray pressures low enough to provide coarse spray droplets. An agriculturally labeled thickening agent may be used to reduce drift.

#### Plants Controlled by Garlon XRT

#### **Woody Plant Species**

alder	chinquapin	madrone	scotch broom
arrowwood	choke cherry	maples	sumac
ash	cottonwood	mulberry	sweetbay magnolia
aspen	crataegus (hawthorn)	oaks	sweetgum
bear clover (bearmat)	dogwood	persimmon	sycamore
beech	Douglas fir	pine	tanoak
birch	elderberry	poison ivy	thimbleberry
blackberry	elm	poison oak	tree-of-heaven
blackgum	gallberry	poplar	(Ailanthus) <sup>†</sup>
boxelder <sup>†</sup>	gorse	salmonberry	tulip poplar
Brazilian pepper	hazel	salt-bush	wax myrtle
buckthorn	hickory	( <i>Braccharis</i> spp.)	wild rose
cascara	hornbeam	salt-cedar <sup>t</sup>	willow
ceanothus	kudzu <sup>t†</sup>	sassafras	winged elm
cherry	locust		-

<sup>&</sup>lt;sup>1</sup>For best control, use either a basal bark or cut stump treatment.

#### Annual and Perennial Broadleaf Weeds

black medic	curly dock	matchweed	sweet clover
bull thistle	dandelion	mustard	vetch
burdock	field bindweed	oxalis	wild carrot
Canada thistle	goldenrod	plantain	(Queen Anne's lace)
chicory	ground ivy	purple loosestrife	wild lettuce
clover	lambsquarters	ragweed	wild violet
creeping beggarweed	lespedeza	smartweed	yarrow

#### **Application Methods**

Use Garlon XRT at rates of 0.75 to 5 quarts per acre to control broadleaf weeds and woody plants. It is suggested that rates higher in this rate range be used to control woody plants. In all cases, use the amount specified in enough water to give uniform and complete coverage of the plants to be controlled. The order of addition to the spray tank is water, spray thickening agent (if used), surfactant (if used), additional herbicide (if used), and Garlon XRT. If a standard agricultural surfactant is used, use at a rate of 1 to 2 quarts per acre. Use continuous adequate agitation. It is highly recommended that a "jar" test be

<sup>&</sup>lt;sup>††</sup>For complete control, re-treatment may be necessary.

performed when concentrated dilutions (>7% v/v). More vigorous agitation may be needed to maintain a homogeneous spray mix over an extended period of time.

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

For best results with foliar applications, apply when woody plants and weeds are actively growing. When hard to control species such as ash, blackgum, choke cherry, elm, maples (other than vine or big leaf), oaks, pines, or winged elm are prevalent, during applications made during late summer when the plants are mature, or during drought conditions, use the higher rates of Garlon XRT alone or in combination with Tordon<sup>™</sup> 101 Mixture herbicide or Tordon K herbicide. (Tordon 101 Mixture and Tordon K are restricted use pesticides. See product labels.) Tordon 101 Mixture and Tordon K are not registered for use in the states of California and Florida.

When using Garlon XRT in combination with 2,4-D low volatile ester herbicide, generally the higher rates of Garlon XRT should be used for satisfactory brush control.

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

On sites where easy to control brush species dominate, rates less than those listed may be effective. Consult state or local extension personnel for such information.

#### Foliage Treatment With Ground Equipment

#### **High Volume Foliage Treatment**

For control of woody plants, use Garlon XRT at the rate of 1.25 to 4 quarts per 100 gallons of spray mixture, or Garlon XRT at 2 to 4 quarts may be tank mixed with labeled rates of 2,4-D low volatile ester herbicide, Tordon 101 Mixture, or Tordon K and diluted to make 100 gallons of spray. Do not apply more than 5 quarts of Garlon XRT per acre. Apply at a volume of 100 to 400 gallons of total spray per acre depending upon size and density of woody plants. Coverage should be thorough to wet all leaves, stems, and root collars. Tordon 101 Mixture and Tordon K are not registered for use in the states of California and Florida. When tank mixing, follow applicable use directions and precautions on each manufacturer's label.

**Table 1:** The following table is provided as a guide to the user to achieve the approximate maximum rate of Garlon XRT.

	Rate of Garlon XRT			
Total Spray Volume (gallons/acre)	Forestry Sites (qt/100 gallons of spray) <sup>†</sup>	Non-Cropland Sites (qt/100 gallons of spray) <sup>††</sup>		
400	1	1.25		
300	1.25	1.7		
200	1.75	2.5		
100	3.75	5		
50	7.5	10		
40	9	12		
30	13	16		
20	19	25		
10	38	56		

<sup>&</sup>lt;sup>†</sup>Do not exceed the maximum use rate of 6 qt of Garlon XRT (6 lb ae of triclopyr) per acre per year.

† Do not exceed the maximum use rate of 8 qt of Garlon XRT (8 lb ae of triclopyr) per acre per year, or

1.25 qt of Garlon XRT (2 lb ae of triclopyr) per acre per year for grazed areas, except on portions of
grazed areas that meet the following requirement. Portions of grazed areas that intersect treated non-



cropland, rights-of-way and forestry sites may be treated at up to 8 lb ae per acre if the area to be treated on the day of application comprises no more than 10% of the total grazable area.

#### Low Volume Foliage Treatment

To control susceptible woody plants, mix up to 12.5 quarts of Garlon XRT in 10 to 100 gallons of finished spray. The spray concentration of Garlon XRT and total spray volume per acre should be adjusted according to the size and density of target woody plants and kind of spray equipment used. With low volume sprays, use sufficient spray volume to obtain uniform coverage of target plants including the surfaces of all foliage, stems, and root collars (see General Use Precautions and Restrictions). For best results, a surfactant should be added to all spray mixtures. Match equipment and delivery rate of spray nozzles to height and density of woody plants. When treating tall, dense brush, a truck mounted spray gun with spray tips that deliver up to 2 gallons per minute at 40 to 60 psi may be required. Backpack or other types of specialized spray equipment with spray tips that deliver less than 1 gallon of spray per minute may be appropriate for short, low to moderate density brush.

**Tank Mixing:** As a low volume foliage spray, up to 7.5 quarts of Garlon XRT may be applied in tank mix combination with labeled rates of Tordon K or Tordon 101 Mixture in 10 to 100 gallons of finished spray. Tordon 101 Mixture and Tordon K are not registered for use in the states of California and Florida.

#### **Broadcast Applications With Ground Equipment**

Apply Garlon XRT using equipment that will assure thorough and uniform coverage of the spray volumes applied. See Table 1 for relationship between mixing rate, spray volume and maximum application rate.

#### **Woody Plant Control**

**Foliage Treatment:** Use 2.5 to 5 quarts of Garlon XRT in enough water to make 5 gallons or more of total spray per acre, or 1 to 2 quarts of Garlon XRT may be combined with labeled rates of 2,4-D low volatile ester, Tordon 101 Mixture, or Tordon K in sufficient water to make 5 gallons or more of total spray per acre. Tordon 101 Mixture and Tordon K are not registered for use in the states of California and Florida.

#### **Broadleaf Weed Control**

Use Garlon XRT at rates of 0.75 to 2.5 quarts in a total volume of 5 gallons or more per acre as a water spray mixture. Apply anytime weeds are actively growing. Garlon XRT at 0.75 to 2 quarts may be tank mixed with labeled rates of 2,4-D amine or low volatile ester, Tordon K, or Tordon 101 Mixture to improve the spectrum of activity. For thickened (high viscosity) spray mixtures, Garlon XRT can be mixed with diesel oil or other inverting agent. When using an inverting agent, read and follow the use directions and precautions on the product label. Tordon 101 Mixture and Tordon K are not registered for use in the states of California and Florida.

#### Aerial Application (Helicopter Only)

Aerial sprays should be applied using suitable drift control (see General Use Precautions and Restrictions).

#### Foliage Treatment (Utility and Pipeline Rights-of-Way)

Use 2.5 to 5 quarts of Garlon XRT alone, or 2 to 2.5 quarts of Garlon XRT in a tanl: mix combination with labeled rates of 2,4-D low volatile ester, Tordon 101 Mixture or Tordon K and apply in a total spray volume of 10 to 30 gallons per acre. Use the higher rates and volumes when plants are dense or under drought conditions. Tordon 101 Mixture and Tordon K are not registered for use in the states of California and Florida.

Portions of grazed areas that intersect treated non-cropland, rights-of-way and forestry sites may be treated at up to 8 lb ae per acre if the area to be treated on the day of application comprises no higher than 10% of the total grazable area.

#### **Basal Bark and Dormant Brush Treatments**

#### **Mixing Directions**

To control susceptible woody plants in rights-of-way, other non-crop areas, and forests, use Garlon XRT in oil or oil-water mixtures prepared and applied as described below. Prepare oil-based mixtures using 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 preparing an oil mixture, read and follow the use directions and precautions on the manufacturer's product label. See Table 1 for relationship between mixing rate, spray volume and maximum application rate.

**Note:** All basal bark and dormant brush treatment methods may be used to treat susceptible woody species on range and permanent pasture land provided that no more than 1.25 quarts of Garlon XRT are applied per acre. Large plants or species requiring higher rates of Garlon XRT may not be completely controlled.

#### Oil Mixture Sprays

Add Garlon XRT 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.

Oil Mixtures of Garlon XRT and Tordon K: Tordon K and Garlon XRT may be used in tank mix combination for basal bark treatment of woody plants. These herbicides are incompatible and will not form a stable mixture when mixed together directly in oil. Make a stable tank mixture for basal bark application by first combining with each product with a compatibility agent prior to final mixing in the desired ratio. (See product bulletin for mixing instructions.) Tordon K is not registered for use in the states of California and Florida.

#### **Oil-Water Mixture Sprays**

Prepare a premix of oil, surfactant and Garlon XRT in a separate container. Do not allow any water or mixtures containing water to get into the premix or Garlon XRT since a thick "invert" (water in oil) emulsion may form that will be difficult to break. Such an emulsion may also be formed if the premix or Garlon XRT is put into the mixing tank before the addition of water. Fill the spray tank about one-half full with water, then slowly add the premix with continuous agitation and complete filling the tank with water. Continue moderate agitation.

#### **Basal Bark Treatment**

To control susceptible woody plants with stems less than 6 inches in basal diameter, mix 1 to 5 gallons of Garlon XRT in enough oil to make 100 gallons of spray mixture. Apply with knapsack sprayer or power spraying equipment using low pressure (20 to 40 psi). Spray the basal parts of brush and tree trunks to a height of 12 to 15 inches from the ground, thoroughly wetting the indicated area. Spray until runoff at the ground line is noticeable. Old or rough bark requires more spray than smooth young bark. Apply anytime, including the winter months, except when snow or water prevent spraying to the ground line. **Mixing with oil requires vigorous agitation to form an oil solution.** Once a solution is formed it will stay stable.

#### Low Volume Basal Bark Treatment

To control susceptible woody plants with stems less than 6 inches in basal diameter. mix, 12.7 to 19 gallons of Garlon XRT in enough oil to make 100 gallons of spray mixture. Apply with a backpack or knapsack sprayer using low pressure and a solid cone or flat fan nozzle. Spray the basal parts of brush and tree trunks in a manner that thoroughly wets the lower stems, including the root collar area, but not to the point of runoff. Herbicide concentration should vary with size and susceptibility of species treated. Apply anytime, including the winter months, except when snow or water prevent spraying to the ground line or when stem surfaces are saturated with water. See Table 1 for relationship between mixing rate, spray volume and maximum application rate. Note: The addition of a soil active herbicide to a basal bark mixture with Garlon XRT may result in damage to surrounding non-target vegetation. Care should be taken to assess the areas in which these soil active herbicides are used in combination with Gaffon XRT



in basal bark application. Mixing with oil requires vigorous agitation to form an oil solution. Once a solution is formed it will stay stable.

Garlon XRT Plus Tordon K in Oil Tank Mix: Garlon XRT and Tordon K may be used in tank mix combination as a low volume basal bark treatment to improve control of certain woody species such as ash, elm, maple, poplar, aspen, hackberry, oak, oceanspray, birch, hickory, pine, tanoak, cherry, locust, sassafras, and multiflora rose. (See product bulletin for mixing instructions.) Tordon K is not registered for use in the states of California and Florida.

#### Streamline Basal Bark Treatment (Southern States)

To control or suppress susceptible woody plants for conifer release, mix 12.5 to 19 gallons of Garlon XRT in enough oil to make 100 gallons of spray mixture. Apply with a backpack or knapsack sprayer using equipment that provides a directed straight stream spray. Apply sufficient spray to one side of stems less than 3 inches in basal diameter to form a treated zone that is 6 inches in height. When the optimum amount of spray mixture is applied, the treated zone should widen to encircle the stern within approximately 30 minutes. Treat both sides of stems which are 3 to 4 inches in basal diameter. Direct the spray at bark that is approximately 12 to 24 inches above ground. Pines (loblolly, slash, shortleaf, and Virginia) up to 2 inches in diameter breast height (dbh) can be controlled by directing the spray at a point approximately 4 feet above ground. Vary spray mixture concentration with size and susceptibility of the species being treated. Best results are achieved when applications are made to young vigorously growing stems that have not developed the thicker bark characteristic of slower growing, understory trees in older stands. This technique should not be used for scrub and live oak species, including blackjack, turkey. post, live, blueiack and laurel oaks, or bigleaf maple. Apply from approximately 6 weeks prior to hardwood leaf expansion in the spring until approximately 2 months after leaf expansion is completed. Do not apply when snow or water prevent spraying at the desired height above ground level. Mixing with oil requires vigorous agitation to form an oil solution. Once a solution is formed it will stay stable.

#### Low Volume Stem Bark Band Treatment (North Central and Lake States)

To control susceptible woody plants with stems less than 6 inches in basal diameter, mix 12.5 to 19 gallons of Garlon XRT in enough oil to make 100 gallons of spray mixture. Apply with a backpack or knapsack sprayer using low pressure and a solid cone or flat fan nozzle. Apply the spray in a 6- to 10-inch wide band that completely encircles the stem. Spray in a manner that completely wet the bark, but not to the point of runoff. The treatment band may be positioned at any height up to the first major branch. For best results, apply the band as low as possible. Spray mixture concentration should vary with size and susceptibility of species to be treated. Applications may be made anytime, including winter months. Mixing with oil requires vigorous agitation to form an oil solution. Once a solution is formed it will stay stable.

#### Thinline Basal Bark Treatment

To control susceptible woody plants with stems less than 6 inches in diameter, apply Garlon XRT, either undiluted or mixed at 35 to 50% v/v with oil, in a thin stream to all sides of the lower stems. The stream should be directed horizontally to apply a narrow band of Garlon XRT around each stem or clump. Use a minimum of 2 to 15 milliliters of Garlon XRT or oil mixture with Garlon XRT to treat single stems and from 25 to 100 milliliters to treat clumps of stems. Use an applicator metered or calibrated to deliver the small amounts required. Mixing with oil requires vigorous agitation to form an oil solution. Once a solution is formed it will stay stable.

#### **Dormant Stem Treatment**

Dormant stem treatments control susceptible woody plants and vines with stems less than 2 inches in diameter. Plants with stems greater than 2 inches in diameter may not be controlled and resprouting may occur. This treatment method is best suited for sites with dense, small diameter brush. Dormant stem treatments of Garlon XRT can also be used as a chemical side-trim for controlling lateral branches of larger trees that encroach onto roadside, utility, or other rights-of-way.



Mix 2.5 to 5 quarts of Garlon XRT in 2 to 3 gallons of crop oil concentrate or other recommended oil and add this mixture in enough water to make 100 gallons of spray solution. Use continuous adequate agitation. Apply with Radiarc, OC or equivalent nozzles, or handgun using 70 to 100 gallons of spray per acre to ensure uniform coverage of stems. Garlon XRT may be mixed with 4 quarts of Weedone 170 to improve the control of black cherry and broaden the spectrum of herbicidal activity. In western states, apply anytime after woody plants are dormant. In other areas, apply anytime within 10 weeks of budbreak, generally February through April. Do not apply to wet or saturated bark as poor control may result.

#### **Cut Stump Treatment**

To control resprouting, mix 13 to 20 gallons of Garlon XRT in enough oil to make 100 gallons of spray mixture. Apply with a backpack or knapsack sprayer using low pressures and a solid cone or flat fan nozzle. Spray the root collar area, sides of the stump, and the outer portion of the cut surface including the cambium until thoroughly wet, but not to the point of runoff. Spray mixture concentration should vary with size and susceptibility of species treated. Apply anytime, including in winter months, except when snow or water prevent spraying to the ground line. **Mixing with oil requires vigorous agitation to form an oil solution.** Once a solution is formed it will stay stable.

#### **Cut Stump Treatment in Western States**

To control resprouting of salt cedar and other *Tamarix* species, bigleaf maple, tanoak, Oregon myrtle, and other susceptible species, apply undiluted Garlon XRT to wet the cambium and adjacent wood around the entire circumference of the cut stump. Treatments may be applied throughout the year; however, control may be reduced with treatment during periods of moisture stress as in late summer. Use an applicator that can be calibrated to deliver the small amounts of material required.

**Note:** All basal bark and dormant brush treatment methods may be used to treat susceptible woody species on range and permanent pasture land provided that no more than 1.25 quarts of Garlon XRT are applied per acre. Large plants or species requiring higher rates of Garlon XRT may not be completely controlled.

#### **Forest Management Applications**

For broadcast applications, apply 0.75 to 4 quarts of Garlon XRT per acre in a total spray volume of 5 to 25 gallons per acre by air or 10 to 100 gallons per acre by ground. Use spray volumes sufficient to provide thorough coverage of treated foliage. Nozzles or additives that produce larger droplets of spray may require higher spray volumes to provide adequate coverage.

Plant Back Interval for Conifers: Conifers planted sooner than 1 month after treatment with Garlon XRT at less than 2.5 quarts per acre or sooner than 2 months after treatment at 2.5 to 4 quarts per acre may be injured. When tank mixtures of herbicides are used for forest site preparation, labels for all products in the mixture should be consulted and the longest recommended waiting period observed.

#### Forest Site Preparation (Not for Conifer Release)

Southern States Including Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia: To control susceptible woody plants and broadleaf weeds, apply Garlon XRT at a rate of 2.5 to 4 quarts per acre. To broaden the spectrum of woody plants and broadleaf weeds controlled, apply 1.25 to 2.5 quarts per acre of Garlon XRT in tank mix combination with labeled rates of Tordon 101 Mixture or Tordon K. Tordon 101 Mixture and Tordon K are not registered for use in the state of Florida. Where grass control is also desired, Garlon XRT alone or in tank mix combination with Tordon K or Tordon 101 Mixture may be applied with labeled rates of other herbicides registered for grass control in forests. Use of tank mix products must be in accordance with the most restrictive of label limitations and precautions. Do not exceed labeled application rates. Garlon XRT cannot be tank mixed with any product containing a label prohibiting such mixing.

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Western, Northeastern, North Central, and Lake States (States not Listed Above as Southern States): To control susceptible woody plants and broadleaf weeds, apply Garlon XRT at a rate of 2 to 4 quarts per acre. To broaden the spectrum of woody plants and broadleaf weeds controlled, apply 1 to 2 quarts of Garlon XRT per acre in tank mix combination with labeled rates of Tordon 101 Mixture, Tordon K, or 2,4-D low volatile ester. Tordon 101 Mixture and Tordon K are not registered for use in the state of California. Where grass control is also desired, Garlon XRT alone or in tank mix combination with Tordon 101 Mixture or Tordon K may be applied with labeled rates of other herbicides registered for grass control in forests. When applying tank mixes, follow applicable use directions and precautions on each product label.

**Southern Coastal Flatwoods:** To control susceptible broadleaf weeds and woody species such as gallberry and wax-myrtle, and for partial control of saw-palmetto, apply 1.25 to 2.5 quarts of Garlon XRT per acre. To broaden the spectrum of species controlled to include fetterbush, staggerbush, titi, and grasses, apply 1.25 to 2 quarts of Garlon XRT per acre in tank mix combination with labeled rates of Arsenal Applicator's Concentrate herbicide. Where control of gallberry, wax myrtle, broadleaf weeds, and grasses is desired, apply 1.25 to 2 quarts of Garlon XRT per acre in tank mix combination with labeled rates of Accord Concentrate or Accord SP herbicide.

These treatments may be broadcast during site preparation of flat planted or bedded sites or, on bedded sites, applied in bands over the top of beds. For best results, apply in late summer or fall. Efficacy may not be satisfactory when applications are made in early season prior to August. **Note:** Do not apply after planting pines.

#### **Directed Spray Applications for Conifer Release**

To release conifers from competing hardwoods and brush such as red maple, sugar maple, striped maple, sweetgum, red and white oaks, ash, hickory, alder, birch, aspen, pin cherry, Ceanothus spp., blackberry, chinquapin, and poison oak, mix 2.5 to 13 quarts of Garlon XRT in enough water to make 100 gallons of spray mixture. This spray mixture should be directed onto foliage of competitive hardwoods using knapsack or backpack sprayers with flat fan nozzles or equivalent anytime after the hardwoods and brush have reached full leaf size, but before autumn coloration. The majority of treated hardwoods and brush should be less than 6 feet in height to ensure adequate spray coverage. Care should be taken to direct spray away from contact with conifer foliage, particularly foliage of desirable pines. See Table 1 for relationship between mixing rate, spray volume and maximum application rate.

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

## Broadcast Applications for Mid-Rotation Understory Brush Control in Southern Coastal Flatwoods Pine Stands (Ground Equipment Only)

For control of susceptible species such as gallberry, wax myrtle and broadleaf weeds, apply 1.25 to 2.5 quarts of Garlon XRT per acre. To broaden the spectrum of woody plants controlled to include fetterbush, staggerbush, and titi, apply 1.25 to 2 quarts of Garlon XRT per acre in tank mix combination with labeled rates of Arsenal Applicator's Concentrate. Saw palmetto will be partially controlled by use of Garlon XRT at 2.5 quarts per acre or by mixtures of Garlon XRT at 1.25 to 2 quarts per acre in tank mix combination with either Arsenal Applicator's Concentrate or Escort herbicide. These mixtures should be broadcast applied over target understory brush species, but to prevent injury to pines, make applications underneath the foliage of pines. Apply sprays in 30 gallons or more per acre of total volume. For best results, apply in late summer or fall. Efficacy may not be satisfactory when applications are made in early season prior to August.

#### Broadcast Applications for Conifer Release in the Pacific Northwest and California

Dormant Conifers Before Bud Swell (Excluding Pines): To control or suppress deciduous hardwoods such as vine maple, bigleaf maple, alder, scotch broom, or willow before leaf-out, or evergreen.

hardwoods such as madrone, chinquapin, and Ceanothus spp., use Garlon XRT at 0.75 to 1.25 quarts per acre. Use diesel or fuel oil as a diluent, or use water plus 1 to 2 gallons per acre of diesel oil or a suitable surfactant or oil substitute at manufacturer's recommended rates. Mixing with oil as the only diluent requires vigorous agitation to form an oil solution. Once a solution is formed it will stay stable.

Conifer Plantations (Excluding Pines) After Hardwoods Begin Growth and Before Conifer Bud Break ("Early Foliar" Hardwood Stage): Use Garlon XRTalone at 0.75 to 1 quarts or with 2,4-D low volatile ester herbicide in water carrier to provide no more than 3 lb ae per acre from both products. After conifer bud break, these sprays may cause more serious injury to the crop trees. Use of a surfactant may cause unacceptable injury to conifers, especially after bud break.

Conifer Plantations (Excluding Pines) After Conifers Harden Off in Late Summer and While Hardwoods are Still Growing Actively: Use Garlon XRT alone at rates of 0.75 to 1 quarts per acre or with 2,4-D low volatile ester to provide no more than 3 lb ae per acre from both products. Treat as soon after conifer bud hardening as possible so that hardwoods and brush are actively growing. Use of oil, oil substitute, or surfactant may cause unacceptable injury to the conifers.

#### **Broadcast Applications for Conifer Release in the Eastern United States**

To release spruce, fir, red pine, and white pine from competing hardwoods such as red maple, sugar maple, striped maple, alder, birch (white, yellow, and grey), aspen, ash, pin cherry, and Rubus spp. and perennial and annual broadleaf weeds, use Garlon XRT alone at rates of 1 to 2 quarts per acre or with 2,4-D amine or low volatile ester to provide no more than 4 lb ae per acre from both products. Apply in late summer or early fall after conifers have formed their overwintering buds and hardwoods are in full leaf and prior to autumn coloration.

#### Broadcast Applications for Conifer Release in the Lake States Region

To release spruce, fir, and red pine from competing hardwoods such as aspen, birch, maple, cherry. willow, oak, hazel, and Rubus spp. and perennial and annual broadleaf weeds, use Garlon XRT at rates of 1 to 2 quarts per acre. Apply in late summer or early fall after conifers have formed their overwintering buds and hardwoods are in full leaf and prior to autumn coloration.

#### **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.

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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 occulation to the occupants of the occupant 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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To the extent permitted by law, 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.

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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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