

67760-74

5/26/2009

1 of 16



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND  
TOXIC SUBSTANCES

Carrie Tackema  
Cheminova Inc.  
P.O. Box 110566  
One Park Drive, Suite 150  
Research Triangle Park, NC 27709

5-26-09

Subject: EPA Reg. 67760-74 / Nic It Herbicide Label Amendment

Dear Ms. Tackema:

The labeling referred to above is acceptable provided you make the following changes to the label:

1. To the Hazards to Humans and Domestic Animals section delete "Avoid contact with skin or clothing". This is duplicated in the following line.
2. To the First Aid section add "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. Call a poison control center or doctor for treatment advice."

A stamped copy of your labeling is enclosed for your records. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 18 months from the date of this Notice or the next printing of the label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions. This stamped label supercedes all previous labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Kraft for".

Jim Tompkins  
Product Manager 25  
Herbicide Branch  
Registration Division (7505P)

20f16

# Nic-It™ Herbicide

**ACTIVE INGREDIENT:** Nicosulfuron

2-[[[4,6-Dimethoxypyrimidin-2-yl)aminocarbonyl]aminosulfonyl]-  
N,N-dimethyl-3-pyridinecarboxamide

23.5%

**INERT INGREDIENTS:**

76.5%

**TOTAL:**

100.0%

Contains 2.0 pounds per gallon of the active ingredient nicosulfuron.

## KEEP OUT OF REACH OF CHILDREN CAUTION

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.)

IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE,  
DAY OR NIGHT 1-866-303-6950

Read the entire label before using this product.

Use only according to label instructions.

Read "DISCLAIMER" before buying or using.

If terms are not acceptable, return product unopened without delay.

SEE BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND USE  
DIRECTIONS

EPA Reg. No. 67760-74

EPA Est. No.

### NET CONTENTS:

Cheminova, Inc.  
One Park Drive, Suite 150  
P.O. Box 110566  
Research Triangle Park, NC 27709

[www.cheminova.us.com](http://www.cheminova.us.com)

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:**

5-26-09

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

67760-74

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## PRECAUTIONARY STATEMENTS

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### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### KEEP OUT OF REACH OF CHILDREN

#### CAUTION

Harmful if absorbed through skin. Harmful if swallowed. Avoid contact with skin or clothing. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

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### PERSONAL PROTECTIVE EQUIPMENT (PPE)

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Some material that are chemical resistant to this product are listed below. If you want more options, follow the instructions for Category A on the EPA chemical resistance category selection chart.

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants.
- Chemical resistant gloves Category A (such as butyl rubber, natural rubber, neoprene rubber, or nitrile rubber) all  $\geq$  14 mils.
- Shoes plus socks.

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.

**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.

### FIRST AID

<b>IF ON SKIN OR CLOTHING:</b>	Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-minutes. Call a poison control center or doctor for treatment advice.
<b>IF INHALED:</b>	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
<b>IF SWALLOWED:</b>	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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.

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## ENVIRONMENTAL HAZARDS

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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 of equipment or disposing of equipment rinsewater. Do not apply where/when conditions could favor runoff.

**STORAGE AND DISPOSAL**

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

**Pesticide Storage:** Store product in original container only. Do not contaminate water, other pesticides, fertilizer, food or feed in storage. Store in a cool, dry place.

**Pesticide Disposal:****Nonrefillable containers equal to or less than 5 gallons:**

Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

**Nonrefillable containers greater than 5 gallons:**

Do not reuse or refill this container. Offer for recycling if available. Triple rinse as follows: Empty the remaining contents into application equipment or mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank and store rinsate for later use or disposal. Repeat this procedure two more times.

**DIRECTIONS FOR USE**

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

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 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 4 hours.

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

Coveralls.

**Chemical resistant gloves Category A (such as butyl rubber, natural rubber, neoprene rubber, or nitrile rubber), all  $\geq$  14 mils.**

Shoes plus socks.

Nic-It™ Herbicide is a suspension concentrate used at a rate 2-4 fluid ounces per acre for selective postemergence grass weed control in field corn grown for seed or grain, popcorn and sweet corn.

Do not make more than two applications of Nic-It™ Herbicide per cropping season. The combined dosage of sequential applications cannot exceed 4 ounces per acre of Nic-It™ Herbicide.

## WHEN TO APPLY

### Normal Planned Use

Nic-It™ Herbicide may be used on field corn, high lysine, waxy, white or other food grade corn hybrids.

Nic-It™ Herbicide may be broadcast to corn up to 20" tall (free standing) or that is exhibiting up to and including 6 leaf collars (V6), whichever is more restrictive.

While Nic-It™ Herbicide has a wide application window, research has shown best results are obtained when applications are made early Postemergence when corn and weeds are small. Target applications to corn that is less than 12" tall for best overall performance.

### Timing to Weeds

Apply Nic-It™ Herbicide when grass weeds are young and actively growing, but before they exceed the sizes indicated in Table 1. **Treat heavy infestations of weeds before they become too competitive with the crop, especially where soil moisture and/or fertility are limited.** Nic-It™ Herbicide provides weed control via foliar absorption. Nic-It™ Herbicide only controls those weeds that have emerged. For later-emerging weeds, a second application or a timely cultivation is required. **Applications made to weeds larger than the size indicated on this label or to weeds under stress may result in unsatisfactory control. Refer to LATE OR RESCUE APPLICATIONS.**

### LATE OR RESCUE APPLICATIONS

Nic-It™ Herbicide may be applied to field corn as a rescue treatment for the control of escaped grass weeds, or as a directed Postemergence application on corn that is taller than 20" or which has more than 6 collars (which ever occurs first).

- For corn 20" to 36" tall, apply Nic-It™ Herbicide with drop nozzles only and avoid spraying into the whorl of cornstalks.
- Do not apply to corn that is taller than 36" or that exhibits 10 or more collars (V10), whichever is most restrictive.

Applications made to weeds larger than those listed on this label may vary from complete control to suppression. Level of control will depend on the weed species, stage of growth, and environmental conditions.

Due to the unplanned nature of rescue applications, choices must be made between the risks that arise from applications made beyond the proper time for Nic-It™ Herbicide use, and the effects of season long grass weeds competition and/or harvest complications. These choices must balance risks from improperly timed Nic-It™ Herbicide use that include, but are not limited to:

- Yield loss due to competition: Research indicates competition from foxtail exceeding 4 inches in height may reduce corn yields. Applications to foxtail and other annual grass weeds that exceed the sizes stated on the label increases the risk of yield losses due to prolonged competition with the crop even though control may be acceptable. Density is more important than just size.
- Incomplete control of grass weeds beyond labeled size: Applications to grass weeds that exceed the labeled sizes can result in reduced control. This incomplete control may reduce corn yield.
- Incomplete grass control due to herbicide stress: Grass weeds under stress from previous herbicide applications may not be actively growing and susceptible to Nic-It™ Herbicide. This stress may reduce grass control in "rescue" situations.
- Ear malformation: Applications of Nic-It™ Herbicide on corn that has 7 to 10 collars (V7 to V10) increases the potential for ear malformation (pinching). This risk may be greatly reduced, but not eliminated, by using drop nozzles properly adjusted so as to not apply Nic-It™ Herbicide into the corn whorl.

## RATE

Optimum control of the weeds listed can be achieved with 2 ounces of Nic-It™ Herbicide. Weeds that exceed the listed weed sizes by up to 50% may be partially controlled with rates between 2 to 4 fluid ounces of Nic-It™ Herbicide per acre.

As weeds mature, their sensitivity to Nic-It™ Herbicide decreases. As grass weeds become mature (more than 3 tillers), they may not reach the size listed below, due to drought or other environmental factors. Grass weeds that are maturing rapidly should be treated before they reach the stages listed below.

When applied as directed, Nic-It™ Herbicide will control the following weeds:

**Table 1. Weeds controlled with 2 fluid ounces Nic-It™ Herbicide**

<b>Grasses</b>	<b>Maximum Height or Diameter</b>
Barnyardgrass	4"
Broadleaf signalgrass	2"
Foxtails (bristly, giant, green, yellow)	4"
Itchgrass	6"
Johnsongrass	
seedling	12"
rhizome	18"
Panicum (Texas, browntop)	3"
fall	4"
Quackgrass*	10"
Ryegrass (Italian, perennial)	6"
Sandbur (field, longspine)*	3"
Shattercane	12"
Sorghum alnum	12"
Timothy	6"
Volunteer cereals (barley, oats, rye, triticale, wheat)	6"***
Wild oats	4"
Wild proso millet	4"
Wirestem muhly*	8"
Witchgrass	6"
Woolly Cupgrass*	4"

\*Requires the use of COC plus ammonium nitrogen fertilizer.

Cultivation or re-treatment may be required. See "FOR ADDITIONAL CONTROL OF LATER EMERGING GRASS WEEDS."

\*\*\*10 inches in the states of WA, OR, ID, and MT, where the use of MSO adjuvants are preferred. See SPRAY ADJUVANTS.

<b>Broadleaves</b>	<b>Maximum Height or Diameter</b>
Burcucumber	3"
Dandelion	6"
Hemp dogbane*	4"
Jimsonweed	3"
Morningglory (ivy leaf, pitted)	3"
tall	2"
Pigweed (redroot, smooth)	4"
Pokeweed*	4"
Smartweeds (lady thumb, PA)	4"
Thistle, Canada*	4"

\* Suppression

### **Popcorn, Field Corn Grown for Seed and Sweet Corn**

Nic-It™ Herbicide may be broadcast or applied with drop nozzles to popcorn or field corn grown for seed that is less than 20" tall (free-standing) or that exhibits up to and including 5 leaf-collars (V5), whichever is most restrictive. Do not apply to corn that is taller than 20" or that exhibits more than 5 leaf-collars (V5), whichever is more restrictive.

Many seed companies have tested seed corn inbreds or yellow popcorn hybrids for sensitivity to Nic-It Herbicide and have reported excellent safety. Do not apply Nic-It™ Herbicide to any white popcorn inbred, or white popcorn hybrid unless specifically approved by the seed company. This includes "White Dynamite" popcorn.

Nic-It™ Herbicide may be applied to certain sweet corn hybrids grown for fresh markets or under contract for processing. Applications of Nic-It™ Herbicide may be applied broadcast or with drop nozzles (post-directed) on sweet corn up to 12 inches tall or up to and including 5 leaf-collars (V5). For sweet corn 12-18 inches tall, apply only with drop nozzles. Do not apply to sweet corn taller than 18 inches or those which exhibit 6 or more leaf-collars (V6), and make only one application of Nic-It Herbicide per year.

Sweet corn hybrid sensitivity to Nic-It™ Herbicide is highly variable, and not all hybrids have been tested for crop tolerance.

Not all seed corn inbreds, popcorn or sweet corn hybrids have been tested, nor does Cheminova have access to all seed company data. Consequently, Cheminova is not responsible for any crop injury arising from the use of Nic-It™ Herbicide on field corn for seed, popcorn or sweet corn. When tank mixing, check the tank mix partner label for tolerances and instructions for use.

See **Soil Insecticide Interaction Information** regarding the use of Nic-It™ Herbicide on popcorn, sweet corn or field corn grown for seed that has been previously treated with a soil insecticide.

### **SPRAY ADJUVANTS**

Applications of Nic-It™ Herbicide must include either a crop oil concentrate or a nonionic surfactant. In addition, an ammonium nitrogen fertilizer must be used unless specifically prohibited by tank mix partner labeling. Crop oil concentrate plus ammonium nitrogen fertilizer is the preferred adjuvant system for activity on difficult to control species such as woolly cupgrass, quackgrass, sandbur and wirestem muhly. If another herbicide is tank mixed with Nic-It™ Herbicide, select adjuvants authorized for use with both products. Products must contain only EPA-exempt ingredients (40 CFR 1001).

#### **Crop Oil Concentrate (COC) – Petroleum or Modified Seed Oil (MSO)**

- Apply at 1% v/v (1 gallon per 100 gallons spray solution) or 2% under arid conditions. MSO adjuvants may be used at 0.5% v/v if specified on local Cheminova product literature or service policies.
- MSO adjuvants may be used at 0.5% v/v (0.5 gallons per 100 gallons spray solution) if specifically noted on adjuvant product labeling.

- Oil adjuvants must contain at least 80% high quality, petroleum (mineral) or modified vegetable seed oil with at least 15% surfactant emulsifiers.

#### **Nonionic Surfactant (NIS)**

- Apply at 0.25% v/v (1 quart per 100 gallons spray solution) or 0.5% under arid conditions.
- Surfactant products must contain at least 60% nonionic surfactant with a hydrophilic/lipophilic balance (HLB) greater than 12.

#### **Ammonium Nitrogen Fertilizer**

- Use 2 quarts/acre of a high-quality urea ammonium nitrate (UAN), such as 28%N or 32%N, or 2 pounds/acre of a spray-grade ammonium sulfate (AMS). Use 4 quarts/acre UAN or 4 pounds/acre AMS under arid conditions.
- Do not use liquid nitrogen fertilizer as the total carrier solution.

#### **Special Adjuvant Types**

- Combination adjuvant products may be used at doses that provide the required amount of NIS, COC, MSO and/or ammonium nitrogen fertilizer. Consult product literature for use rates and restrictions.

### **MIXING INSTRUCTIONS**

1. Fill a thoroughly clean spray tank  $\frac{1}{2}$  to  $\frac{2}{3}$  full of water.
2. While agitating, add directly from the container the required amount of Nic-It™ Herbicide.
3. Continue agitation and when the spray tank is 90 % full add the required spray adjuvants (crop oil concentrate, nonionic surfactant, or ammonium nitrogen fertilizer).
4. When this product mix is thoroughly suspended, finish filling the spray tank.
5. Maintain continuous agitation throughout the application of Nic-It™ Herbicide.
6. Apply Nic-It™ Herbicide spray mixture within 24 hours of mixing to avoid product degradation.

### **TANK MIX APPLICATIONS**

#### **For additional Control of Broadleaf Weeds**

Nic-It™ Herbicide may be tank mixed with many herbicides registered for postemergence application in corn for additional control of broadleaf weeds. See the tank mix partner label for weeds controlled, precautions, use restrictions, adjuvant and crop rotation information. The most restrictive language on either label shall apply. Applications of full or reduced rates of other products registered for use in corn provided:

- The tank mix product is labeled for the same timing, method of application, adjuvants, and use restrictions as Nic-It Herbicide.
- The tank mixture is not specifically prohibited on the label of the tank mix product.
- The tank mix combination is compatible as determined by a "jar test" described in the TANK MIX COMPATIBILITY TESTING section below.

Crop oil concentrate plus ammonium nitrogen fertilizer is the preferred adjuvant for tank mixtures when using products at the low end of the rate range indicated in the table. The use of the nonionic surfactant is permitted in place of crop oil concentrate for tank mixtures containing dicamba, however, overall weed control may be reduced. See SPRAY ADJUVANTS for adjuvant rate recommendation.

Do not use MSO adjuvants when tank mixing Nic-It™ Herbicide with >1.5 ounces "Callisto."

#### **For Additional Control of Later Emerging Grasses**

Nic-It™ Herbicide may be tank mixed with full or reduced rates of preemergence grass herbicides labeled for early postemergence application to field corn such as DuPont™ CINCH®, CINCH® ATZ, "Prowl," "Surpass" EC, "Dual" II Magnum, or "Outlook") for residual activity on later-emerging flushes of grass. Application must be made before the grass emerges and before other grass weeds on the Nic-It™ Herbicide label exceed their labeled sizes.



The use of nonionic surfactant is recommended in place of crop oil concentrate for tank mixtures with preemergence grass herbicides where applications are made early postemergence to small grass weeds.

See SPRAY ADJUVANTS for adjuvant rate recommendations.

When tank mixing Nic-It™ Herbicide with EC formulated preemergence grass herbicides such as DuPont™ CINCH®, "Dual" II Magnum, or "Prowl," do not add "Callisto" herbicide to the tank mixture. When other formulations of preemergence grass herbicides are tank mixed with Nicosulfuron + "Callisto" (such as CINCH® ATZ or "Bicep II Magnum"), limit preemergence herbicide rates to 2/3 times full rates, always add nonionic surfactant in place of crop oil concentrate, and limit broadleaf weed sizes to less than or equal to 4" tall.

When tank mixing Nic-It™ Herbicide with "Lumax" herbicide, limit "Lumax" rates to no more than 2 pints, always add nonionic surfactant in place of crop oil concentrate, omit adjuvants containing ammonium nitrogen fertilizer, and limit applications to corn up to 5" tall.

Tank mixes of Nic-It™ Herbicide and preemergence grass herbicides must be broadcast applied postemergence to field corn before the crop exceeds the heights listed on the preemergence grass herbicide label. Refer to WHEN TO APPLY – POSTEMERGENCE and the preemergence grass herbicide label for complete postemergence application information, rates, and restrictions.

#### **Tank Mixtures with Insecticides**

Nic-It™ Herbicide may be tank mixed with pyrethroid or carbamate insecticides such as DuPont™ ASANA® XL or DuPont™ LANNATE® insecticides. See Soil Insecticide Interaction section for information on use of Nic-It Herbicide following soil insecticides application.

#### **Other Tank Mixtures**

Other than the exceptions noted, and in addition to the tank mix partners and rates indicated above, Nic-It™ Herbicide may be tank mixed or followed with sequential applications of other products registered for use in field corn. Applications of full or reduced rates of other products registered for use in corn provided:

- The tank mix product is labeled for the same timing, method of application, adjuvants, and use restrictions as Nic-It™ Herbicide.
- The tank mixture is not specifically prohibited on the label of the tank mix product.
- The tank mix combination is compatible as determined by a "jar test" described in the TANK MIX COMPATIBILITY TESTING section below.

Weed control and crop response with tank mixtures that are not specifically recommended in this label are the responsibility of the user and manufacturer of the tank mix product.

#### **Tank Mixing Precautions:**

A corn plant's predisposition to develop fused tissue emerging from the whorl (rattail) after the V-11 stage may increase when a product containing dicamba (i.e., "Clarity," "Marksman") is applied to small corn under early stressful conditions. Be aware of this when applying tank mixes with dicamba to small corn (V-3 stage or smaller) under stressful conditions. See ENVIRONMENTAL CONDITIONS for a description of these stressful conditions.

To avoid crop injury or antagonism, apply the products indicated below at least seven days before or three days after the application of Nic-It™ Herbicide.

- Do not tank mix Nic-It™ Herbicide with "Basagran" and "Laddok" or severe crop injury may occur.
- Do not tank mix Nic-It™ Herbicide with 2,4-D containing products as severe grass control antagonism may occur.
- Do not tank mix Nic-It™ Herbicide with foliar-applied organophosphate insecticides such as

"Lorsban," "Nufos," malathion, parathion, etc., as severe crop injury may occur.

Do not exceed labeled application rates. Do not tank mix Nic-It™ Herbicide with other products that contain the same active ingredients as Nic-It™ Herbicide (nicosulfuron) unless the label of either tank mix partner specifies the maximum rate that may be used.

### **TANK MIX COMPATIBILITY TESTING**

Perform a jar test prior to tank mixing to ensure compatibility of Nic-It™ Herbicide and other pesticides. Use a clear glass quart jar with lid and mix the tank mix ingredients with their relative proportions. Invert the jar containing the mixture several times and observe the mixture for approximately ½ hour. If the mixture balls-up, forms flakes, sludges, gels, oily films or layers, or other precipitates, it is not compatible and the tank mix combination should not be used.

### **SEQUENTIAL NIC-IT™ HERBICIDE APPLICATIONS**

Annual grass weeds may have more than one flush of emerging seedlings. Also, regrowth of treated annual grass weeds may occur due to adverse environmental conditions following application. Perennial grass weeds may regrow from underground stems or roots, depending upon environmental conditions. To control grass weeds under these conditions, a sequential application of Nic-It™ Herbicide may be necessary. The combined dosage of the sequential applications cannot exceed 8 fluid ounces per acre of Nic-It™ Herbicide.

### **CULTIVATION**

A timely cultivation may be necessary to control suppressed weeds, or weeds that emerge after an application of Nicosulfuron.

Optimum timing for cultivation is 7-14 days after Nic-It™ Herbicide application or upon seeing the establishment of new weeds.

### **ENVIRONMENTAL CONDITIONS AND BIOLOGICAL ACTIVITY**

Nic-It™ Herbicide provides best results when applied to young, actively growing weeds. Applications made during warm, moist conditions (70°F or more) and adequate soil moisture both before and after application maximizes performance.

The degree and duration of control depend on spray coverage, weed spectrum, weed size, growing conditions before and after treatment, soil moisture, and adjuvant selection.

Nic-It™ Herbicide is rainfast in 4 hours.

Treating weeds that exceed maximum label height or that are under stress may result in incomplete control. Poor weed control or crop injury may result from applications made to plants under stress from:

- abnormally hot or cold weather
- environmental conditions such as drought, water-saturated soils, hail damage, or frost
- disease, insect or nematode injury
- prior herbicide, or carryover from a previous year's herbicide application

Severe stress from conditions preceding or immediately following application may also result in crop injury or poor weed control. Stress affects all weeds, but especially weeds such as woolly cupgrass, green and yellow foxtail, and wild proso millet.

If the corn or grass weeds are under stress, delay application until stress passes and both weeds and corn resume active growth.

Nic-It™ Herbicide rapidly inhibits the growth of susceptible weeds, reducing weed competition within as little as 6 hours after application. Susceptible plants are controlled in 7-21 days.

## SOIL INSECTICIDE INTERACTION INFORMATION

Before using Nic-It™ Herbicide, ensure that it is compatible with any insecticides previously applied to the corn crop.

Nic-It™ Herbicide may interact with certain insecticides previously applied to the crop. Crop response varies with field corn type, insecticide used, insecticide application method, and soil type.

Nic-It™ Herbicide may be applied to corn previously treated with "Fortress," "Aztec," or "Force" insecticides or non-organophosphate (OP) soil insecticides regardless of soil type.

- DO NOT APPLY Nic-It™ Herbicide to corn previously treated with "Counter" 15G or to corn treated with "Counter" 20CR in-furrow or over the row at cultivation.
- Applications of Nic-It™ Herbicide to corn previously treated with "Counter" 20CR, "Lorsban," "Nufos," or "Thimet" may cause unacceptable crop injury, especially on soils of less than 4% organic matter.

## CROP ROTATION

Rotational crops vary in their response to low concentrations of Nic-It™ Herbicide remaining in the soil. Nic-It™ Herbicide dissipates rapidly in warm, acidic, microbiologically active soils.

The amount of Nic-It™ Herbicide which may be present in the soil depends on application rate, soil pH and organic matter content, elapsed time since application, crop production practices, and environmental factors.

Injury to rotational crops may occur in high-pH, cold soils if dry weather prevails between applications and rotational crop planting.

Soil pH should be determined by laboratory analysis using the 1:1 soil:water suspension method on representative soil samples taken at 0-4" depth. Soil pH varies within fields; therefore, recropping should be based on the highest soil pH within each field. Consult local extension publications for recommended soil sampling procedures.

The following rotational intervals should be observed when using Nic-It™ Herbicide at a maximum of 4 fluid ounces:

### NIC-IT™ HERBICIDE ROTATIONAL CROP GUIDELINE-1

*No soil pH Restrictions*

Crop Rotational	Interval in Months
Corn (field, seed)	Anytime
Corn (pop, sweet)*	10
Soybeans	0.5 (15 days)
Cereals, spring (barley, oats, rye, wheat)	8
Cotton	10
Dry Beans, Peas, Snap Beans	10
Alfalfa**	12
Red Clover**	12
Other Crops	See Rotational Crop Guidelines 2 and 3

\* Except the sweet corn varieties "Merit," "Carnival," and "Sweet Success," for which the minimum time interval is 15 months.

\*\* Except for the state of Kansas east of Highway 75, for Minnesota east and south of the Red River Valley and for the states east of the line formed by the western borders of Iowa, Missouri, Arkansas, and Louisiana, where the minimum time interval is 10 months.

### NIC-IT™ HERBICIDE ROTATIONAL CROP GUIDELINE-2

*With soil pH ≤ 7.5 restrictions*

Crop	Rotational Interval in Months	
	pH 7.5	pH > 7.5
Sorghum	10	18*

Sunflowers	11**	18
All other crops not listed in Rotational Guidelines 1 or 2	See Rotational Guideline 3	

\* Except in Texas and Oklahoma east of Highway 281, where the rotational interval is 10 months, regardless of pH.

\*\* Precipitation following application must exceed 14" prior to planting sunflowers.

### NIC-IT™ HERBICIDE ROTATIONAL CROP GUIDELINE-3

*With soil pH ≤6.5 restrictions*

Crop	Rotational Interval in Months	
	Ph 6.5	pH > 6.5
Sugarbeets*, potatoes*	10	18***
All other crops not listed in Rotational Guidelines 1 or 2	10	18

\* Except on irrigated sites in Colorado, Wyoming, Nebraska, Texas, Michigan, and Ohio, where precipitation following application must exceed 25" prior to planting beets, where the interval is 10 months on soils with pH <7.5. Sites in Minnesota east and south of the Red River Valley may follow these guidelines provided maximum rates of Nic-It Herbicide do not exceed 0.67 oz.

\*\* Irrigated potatoes following irrigated corn treated in the States of WA, OR, ID, or Utah can be planted 10 months after using Nic-It Herbicide on sprinkler irrigated corn with no soil pH restrictions, providing the maximum use rate on corn does not exceed 1.0 ounce product per season. Corn treated with Nicosulfuron must be grown to maturing and receive a minimum of 18 inches of irrigation water before potatoes can be planted at this rotation interval. Injury to potatoes may occur if less than 18 inches of irrigation is used on the previous corn crop. Nic-It Herbicide may not be used in a tank mix or sequential application program with other ALS-inhibiting herbicides such as "Exceed" or "Beacon."

\*\*\* In North Dakota and northwest Minnesota, the cumulative precipitation in the 18 months following application must exceed 28" in order to rotate to sugarbeets or potatoes.

**ROTATIONAL CROP GUIDELINES – 4** may be observed when using a single application of Nic-It™ Herbicide per cropping season with a maximum use rate of 4 fluid ounces product. Rotational intervals should be extended to 12 months if drought conditions prevail after application and before the rotational crop is planted, unless sprinkler irrigation has been applied and totals greater than 15" during the growing season.

### NIC-IT™ HERBICIDE ROTATIONAL CROP GUIDELINE-4

*With 2 fluid ounces maximum use rate*

Crop	Rotational Interval in Months
Alfalfa*	10
Canola	10
Flax**	10
Potato	10
Red clover	10
Sunflower	10

\* On sprinkler irrigated fields in Idaho, Utah and Northern Nevada it is best to use deep fall tillage such as plowing prior to planting alfalfa. Product degradation may be less on furrow irrigated soils and may result in some crop injury.

\*\* Rotational intervals should be extended to 18 months if drought conditions prevail after application and before the rotational crop is planted, unless sprinkler irrigation has been applied and totals greater than 15" during the growing season.

### APPLICATION INFORMATION

Many crops are highly sensitive to Nic-It™ Herbicide. All direct or indirect contact (such as spray drift) with crops other than field corn should be avoided (see also SPRAY DRIFT MANAGEMENT).

For all application systems, use 50-mesh or larger strainer screens.

Do not apply Nic-It™ Herbicide through any type of irrigation system.

### GROUND APPLICATION

#### **Broadcast Application**

- Use a minimum of 15 gallons of water per acre (15 GPA) for best performance. Use a minimum of 10 gallons of water per acre (GPA) for light.
- For best performance, select nozzles and pressure that deliver MEDIUM spray droplets, for example, as indicated in nozzle manufacturer's catalogues and in accordance with ASAE Standard

S572. Nozzles that deliver COARSE spray droplets may be used to reduce drift, provided spray volume is increased to maintain coverage on small weeds. For optimal product performance and minimal spray drift, adjust the spray boom to the lowest possible spray height recommended in manufacturer's specifications.

- Ensure that equipment is set up to avoid applying an excessive rate directly over the rows and into the corn plant whorl. This is most likely to occur when a nozzle is positioned directly above the row.
- Overlaps or starting, stopping, slowing, and turning while spraying may result in crop injury.

#### **Band Application**

For band applications, use proportionately less spray mixture, and carefully calibrate the band applicator to not exceed the labeled rate. Carefully follow the manufacturer's instructions for nozzle type (flat fans), orientation, distance of nozzles from the crop and weeds, spray volumes, calibration and spray pressure.

#### **AERIAL APPLICATION**

In New York State and California, aerial application is not permitted.

Use nozzle types and arrangements that will provide optimum spray distribution and maximum coverage at a minimum of 3 GPA.

Do not apply during a temperature inversion, when winds are gusty, or when conditions favor poor coverage and/or off-target spray movement.

#### **SPRAYER PREPARATION/CLEANUP**

It is important that spray equipment is clean and free of previous pesticide deposits before using Nic-It™ Herbicide and then properly cleaned out following application. Clean all application equipment before applying Nic-It™ Herbicide. Follow the cleanup procedures specified on the label of the product previously sprayed. If no cleanup procedure is provided, use the procedure that follows. Immediately following applications of Nic-It™ Herbicide, thoroughly clean all mixing and spray equipment to avoid subsequent crop injury.

#### **Note:**

- When cleaning spray equipment before applying Nic-It™ Herbicide, read and follow label directions for proper rinsate disposal of the product previously sprayed.
- Steam cleaning of aerial spray tanks will help to dislodge any visible pesticide deposits.
- When spraying or mixing equipment will be used over an extended period to apply multiple loads of Nic-It™ Herbicide, partially fill the tank with fresh water at the end of each day of spraying, flush the boom and hoses, and allow to sit overnight.

#### **Cleanup Procedure**

1. Drain the tank and thoroughly hose down the interior surfaces. Flush the tank, hoses, and boom with clean water for a minimum of 5 minutes.
2. Partially fill the tank with clean water and add one gallon of household ammonia\* (containing 3% active) for every 100 gallons of water. Finish filling the tank with water, then flush the cleaning solution through the hoses, boom, and nozzles. Add more water to completely fill the tank and allow to agitate/recirculate for at least 15 minutes. Again, flush the hoses, boom, and nozzles with the cleaning solution, then drain the tank.
3. Repeat step 2.
4. Remove the nozzles and screens and clean separately in a bucket containing the cleaning agent

and water.

5. Thoroughly rinse the tank with clean water for a minimum of 5 minutes, flushing the water through the hoses and boom.

## SPRAY DRIFT MANAGEMENT

The interaction of many equipment and weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making application decisions. AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.

## IMPORTANCE OF DROPLET SIZE

The most effective way to reduce drift potential is to apply large droplets (>150-200 microns). The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. The presence of sensitive species nearby, the environmental conditions, and pest pressure may affect how an applicator balances drift control and coverage. 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** sections of this label.

### *Controlling Droplet Size – General Techniques*

- **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. Higher pressure reduces droplet size and does not improve canopy penetration. WHEN HIGHER FLOW RATES ARE NEEDED, USE A HIGHER-CAPACITY NOZZLE INSTEAD OF INCREASING PRESSURE.
- **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.

### *Controlling Droplet Size – Aircraft*

- **Number of Nozzles** - Use the minimum number of nozzles with the highest flow rate that provide uniform coverage.
- **Nozzle Orientation** - Orienting nozzles so that the spray is emitted backwards, parallel to the airstream will produce larger droplets than other orientations.
- **Nozzle Type** - Solid stream nozzles (such as disc and core with swirl plate removed) oriented straight back produce larger droplets than other nozzle types.
- **Boom Length** - The boom length should not exceed  $\frac{3}{4}$  of the wing or rotor length – longer booms increase drift potential.
- **Application Height** - Application more than 10 ft above the canopy increases the potential for spray drift.

## BOOM HEIGHT

Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. For ground equipment, the boom should remain level with the crop and have minimal bounce.

## WIND

Drift potential increases at wind speeds of less than 3 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given wind speed. AVOID GUSTY OR WINDLESS CONDITIONS. **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 hot and dry conditions, set up equipment to produce larger droplets to reduce effects of evaporation.

## TEMPREATURE INVERSIONS

Drift potential is high during a temperature inversion. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Temperature inversions are characterized by increasing temperature 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 upward and rapidly dissipates indicates good vertical air mixing.

## SHIELDED SPRAYERS

Shielding the boom or individual nozzles can reduce the effects of wind. However, it is the responsibility of the applicator to verify that the shields are preventing drift and not interfering with uniform deposition of the product.

## INTEGRATED PEST MANAGEMENT

This product may be used as part of an Integrated Pest Management (IPM) program that can include biological, cultural, and genetic practices aimed at preventing economic pest damage. IPM principles and practices include field scouting or other detection methods, correct target pest identification, population monitoring, and treating when target pest populations reach locally determined action thresholds. Consult your state cooperative extension service, professional consultants or other qualified authorities to determine appropriate action treatment threshold levels for treating specific pest/crop systems in your area.

## RESISTANCE

When herbicides that affect the same biological site of action are used repeatedly over several years to control the same weed species in the same field, naturally-occurring resistant biotypes may survive a correctly applied herbicide treatment, propagate, and become dominant in that field. Adequate control of these resistant weed biotypes cannot be expected. If weed control is unsatisfactory, it may be necessary to retreat the problem area using a product affecting a different site of action.

To better manage herbicide resistance through delaying the proliferation and possible dominance of herbicide resistant weed biotypes, it may be necessary to change cultural practices within and between crop seasons such as using a combination of tillage, retreatment, tank-mix partners and/or sequential herbicide applications that have a different site of action. Weed escapes that are allowed to go to seed will promote the spread of resistant biotypes.

It is advisable to keep accurate records of pesticides applied to individual fields to help obtain information on the spread and dispersal of resistant biotypes. Consult you agricultural dealer, consultant, applicator, and/or appropriate state agricultural extension service representative for specific alternative cultural practices or herbicide recommendations available in your area.

## IMPORTANT PRECAUTIONS

Injury or loss of desirable vegetation may result from failure to observe the following:

- Do not apply Nic-It™ Herbicide or drain or flush application equipment on or near desirable trees or other plants, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots.
- Do not use on lawns, walks, driveways, tennis courts, or similar areas.
- Prevent drift of spray to desirable plants.
- Do not contaminate any body of water.
- Thoroughly clean application equipment immediately after use. (See the Sprayer Cleanup section of this label for instructions.)
- Do not graze or feed forage, hay, or straw from treated areas to livestock within 30 days of Nic-It™ Herbicide application.

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(2) Replacement of amount of product used.

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