

81927-14



06-12-2008
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 12 2008

Mr. Michael Kellogg, Agent
For Alligare, LLC
Pyxis Regulatory Consulting, Inc.
4110 13th. St. NW
Gig Harbor, WA 98332

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change
EPA Reg. No. 81927-14
Application Dated May 19, 2008

Dear Mr. Kellogg:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 05/19, 2008 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) 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 call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899...

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 81927-14	2. EPA Product Manager J. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Alligare, LLC / Alligare Clopyralid 3	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Alligare, LLC c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Giga Harbor, WA 98332 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>JUN 12 2008</u> Product Name _____	

Section - II

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

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

Notification of minor label revisions per PR Notice 98-10 to facilitate registration in the New York. 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.

Section - III

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

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Michael Kellogg	Title Agent	Telephone No. (Include Area Code) (253) 853-7369	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title Agent		
4. Typed Name Michael Kellogg	5. Date 5/19/08		

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PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

May 19, 2008

COURIER DELIVERY

Joanne Miller (PM 23)
Document Processing Desk (**NOTIF**)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Alligare, LLC – Alligare Clopyralid 3 (EPA Reg. No. 81927-14)
Notification of Minor Label Revisions per PRN 98-10 to Facilitate Registration in the State of New York

Dear Ms. Miller,

On behalf of Alligare, LLC please find the enclosed notification of minor label revisions for Alligare Clopyralid 3 (EPA Reg. No. 81927-14). New York specific language is being added to facilitate registration in the state of New York. The only change made to the enclosed label is:


- Added the statement “Not for Sale, Use or Distribution in Nassau and Suffolk Counties in New York State” to pg’s 2 and 3 of the enclosed label.

In support of this notification, we submit the following documents:

1. Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Alligare Clopyralid 3 labeling with changes tracked
3. One (1) copy of the Alligare Clopyralid 3 labeling with changes incorporated
4. Letter of Authorization

Please feel free to call me if you have any questions or need any additional information.

Sincerely,



Michael Kellogg

Enclosures

cc: Jay Golz; Alligare, LLC

cc: Jay Golz; Alligare, LLC

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NOTIFICATION

JUN 12 2008

ALLIGARE CLOPYRALID 3

For control of broadleaf weeds and woody brush in non-cropland areas, forest sites, industrial manufacturing and storage sites, rights-of-way, and wildlife openings including grazed areas on these sites, tree plantations, and rangeland and permanent grass pastures.

ACTIVE INGREDIENT:

clopyralid: 3,6-dichloro-2-pyridinecarboxylic acid,
monoethanolamine salt 40.9%

OTHER INGREDIENTS: 59.1%

TOTAL: 100.0%

Acid Equivalent: 3,6-dichloro-2-pyridinecarboxylic acid - 31% (3 lb/gal)

KEEP OUT OF REACH OF CHILDREN

CAUTION PRECAUCION

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

FIRST AID	
If in eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none">• 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing.

EPA Reg. No. 81927-14

EPA Est. No.

Manufactured For:

Alligare, LLC
13 N. 8th Street
Opelika, AL 36801

NET CONTENTS:

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

1. Long-sleeved shirt and long pants
2. Chemical resistant gloves made of any waterproof material
3. Shoes plus socks

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

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

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 disposing of equipment washwaters. Do not contaminate water used for irrigation or domestic purposes.

Clpyralid is a chemical which can travel (seep or leach) through soil and under certain conditions contaminate groundwater which may be used for irrigation or drinking purposes. Users are advised not to apply clpyralid where soils have a rapid to very rapid permeability throughout the profile (such as loamy sand to sand) and the water table of an underlying aquifer is shallow, or to soils that would allow direct introduction into an aquifer. Your local agricultural agencies can provide further information on the type of soil in your area and the location of groundwater.

PHYSICAL OR CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

Notice: Read the entire label. Use only according to label directions. Before buying or using this product, read the "CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY" elsewhere on this label.

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

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.

Use of this product in Oregon is limited to the sites stated on this label which are agricultural, forest and right-of-way.

Not for Sale, Use or Distribution in Nassau and Suffolk Counties in New York State.

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

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

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

- Coveralls
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

NON-AGRICULTURAL USE REQUIREMENTS

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

Entry Restrictions for Non-WPS Uses: For application to fallow cropland, rangeland, pasture, and non-crop areas, do not enter treated areas until sprays have dried. For early entry to treated areas, wear eye protection, chemical-resistant gloves made of any waterproof material, long-sleeved shirt, long pants, shoes and socks.

GENERAL INFORMATION

ALLIGARE CLOPYRALID 3 herbicide is recommended for postemergence control of broadleaf weeds and select woody brush species in non-cropland areas including equipment pathways, industrial manufacturing and storage sites, forest sites, and rights-of-way (such as along roadsides, electrical lines and railroads). Use on these sites may include application to grazed areas as well as establishment and maintenance of wildlife openings, wild parkland and wildlife management areas, and forest spot application adjacent to these sites. ALLIGARE CLOPYRALID 3 is labeled for control of broadleaf weeds in cottonwood/poplar and eucalyptus tree plantations; and in rangeland and permanent grass pastures in certain western states.

PRECAUTIONS AND RESTRICTIONS

- **In Arizona:** The state of Arizona has not approved ALLIGARE CLOPYRALID 3 for use on plants grown for agricultural/commercial production; such as on designated grazing areas.
- Use of this product in Oregon is limited to the sites stated on this label which are agricultural, forest and right-of-way.
- Not for Sale, Use or Distribution in Nassau and Suffolk Counties in New York State.
- Do not contaminate irrigation ditches or water used for irrigation or domestic purposes.

- Do not use in greenhouses.
- In California, the maximum application rate is 2/3 pint per acre per annual use season.
- In Florida, ALLIGARE CLOPYRALID 3 can be used only in the following counties: Bay, Bradford, Calhoun, Escambia, Franklin, Gadsden, Gulf, Hamilton, Jackson, Jefferson, Lafayette, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Suwanee, Taylor, Wakulla, Walton and Washington.
- **Chemigation:** Do not apply this product through any type of irrigation system.
- **Rotation to Broadleaf Crops:** Do not plant broadleaf crops in treated areas until an adequately sensitive bioassay shows that no detectable clopyralid is present in the soil.
- **Grazing/Haying:** There are no restrictions on grazing or hay harvest following application of ALLIGARE CLOPYRALID 3 at labeled rates.
- Do not transfer livestock from treated grazing areas (or feeding of treated hay) to sensitive broadleaf crop areas without first allowing 7 days of grazing on an untreated pasture (or feeding of untreated hay). If livestock are transferred within less than 7 days of grazing untreated pasture or eating untreated hay, urine and manure may contain enough clopyralid to cause injury to sensitive broadleaf plants.
- Some desirable broadleaf plants (forbs) are susceptible to ALLIGARE CLOPYRALID 3. Do not spray pastures containing desirable forbs, especially legumes, unless injury can be tolerated. However, the stand and growth of established perennial grasses is usually improved after treatment, especially if rainfall is adequate for active plant growth and grazing is deferred.
- Grasses are tolerant to ALLIGARE CLOPYRALID 3, but new grass seedlings may be injured to varying degrees until well established as evidenced by development of secondary roots and tillering (multiple stems).
- Do not use hay or straw from treated areas for composting or mulching on susceptible broadleaf crops.
- **Field Bioassay Instructions:** In fields previously treated with this product, plant short test rows of the intended rotational crop across the original direction of application in a manner to sample field conditions such as soil texture, soil pH, drainage, and any other variable that could affect the seed bed of the new crop. Field bioassay at any time between harvest of the treated crop and the planting of the rotational crop. Observe the test crop for herbicidal activity, such as poor stand (effect on seed germination) chlorosis (yellowing), and necrosis (dead leaves or shoots), or stunting (reduced growth). If herbicidal symptoms do not occur, the test crop can be grown. If there is apparent herbicidal activity, wait one year before repeating bioassay or plant a crop tolerant to clopyralid such as barley, canola (rapeseed), grasses, field corn, oats, sugar beets, or wheat.

AVOIDING INJURY TO NON-TARGET PLANTS

This product can affect susceptible broadleaf plants directly through foliar contact and indirectly by root uptake from treated soil. Therefore, do not apply ALLIGARE CLOPYRALID 3 directly to, or allow spray drift to come in contact with vegetables, flowers, tomatoes, potatoes, beans, lentils, peas, alfalfa, sunflowers, soybeans, safflower, or other desirable broadleaf crops or ornamental plants. Small areas of new legume seedlings should be established prior to seeding more extensive areas in order to determine if phytotoxic residues are present in the soil of previously treated areas at levels that could inhibit legume establishment.

Unless otherwise specified on this label or supplemental labeling for ALLIGARE CLOPYRALID 3, do not apply this product to any broadleaf crop or ornamental planting or to areas where sensitive plants will be planted during the same growing season. (See following guidance on "Rotation to Broadleaf Crops".)

Residues in Plants or Manure: Do not use plant residues, including hay or straw from treated areas, or manure from animals that have grazed or consumed forage from treated areas for composting or mulching where susceptible plants may be grown the following season. Do not spread manure from animals that have grazed or consumed forage or hay from treated areas on land used for growing susceptible broadleaf crops. To promote herbicidal decomposition, plant residues should be evenly incorporated or burned. Breakdown of clopyralid in crop residues or manure is more rapid under warm, moist soil conditions and may be enhanced by supplemental irrigation.

AVOID SPRAY DRIFT

Avoid spray drift since very small quantities of the spray, which may not be visible, may severely injure susceptible broadleaf plants during active growth or dormant periods. Use coarse sprays to minimize drift. A drift control or deposition agent suitable for agricultural use may be used with this product to aid in reducing spray drift. If used, follow all use recommendations and precautions on the product label.

Ground Application:

With ground equipment, spray drift may be lessened by keeping the spray boom as low as possible, by applying 10 or more gallons or more of spray per acre, by keeping the operating spray pressures at the manufacturer's minimum recommended pressure for the specified nozzle type used (low pressure nozzles are available from spray equipment manufacturers), and by spraying when the wind velocity is low (follow state regulations). Avoid application under completely calm conditions which may be conducive to air inversion. In hand-gun applications, select the minimum pressure required to obtain adequate plant coverage without forming a mist. Do not apply with a mist blower.

Aerial Application:

With aircraft, drift can be lessened by using straight stream nozzles directed straight back; by using a spray boom no longer than $\frac{3}{4}$ the wing span of the aircraft; by using drift control systems or drift control additives; and by keeping spray pressures low enough to provide coarse spray droplets. Do not use a thickening agent with the Microfoil or Thru-Valve booms, or other systems that cannot accommodate thick sprays. Spray only when wind velocity is low (follow state regulations). Avoid calm conditions which may be conducive to air inversions.

Do not apply by aircraft when an air temperature inversion exists. Such a condition is characterized by little or no wind and lower air temperature near the ground than at higher levels. The use of a smoke device on the aircraft or continuous smoke column at or near the site will indicate air direction and velocity, and whether a temperature inversion is present, as indicated by horizontal layering of the smoke.

SPRAYER CLEAN-OUT

To avoid injury to desirable plants, equipment used to apply ALLIGARE CLOPYRALID 3 herbicide should be thoroughly cleaned before reusing to apply any other chemicals.

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

MIXING INSTRUCTIONS

Water Dilution – To prepare a water dilution of ALLIGARE CLOPYRALID 3:

1. Add 3/4 of the required spray volume to the spray tank and start agitation.
2. Add the required amount of ALLIGARE CLOPYRALID 3.
3. Add any surfactants, adjuvants or drift control agents according to manufacturer's label.
4. Agitate during final filling of the spray tank and maintain sufficient agitation during application to ensure uniformity of the spray mixture.

Note: Allow time for thorough mixing of each spray ingredient before adding the next. If allowed to stand after mixing, agitate spray mixture before use.

Tank Mixing:

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

Tank Mixing Precautions:

- Read carefully and follow all applicable use directions, precautions, and limitations on the respective product labels.
- Do not exceed recommended application rates. Do not tank mix with another pesticide product that contains the same active ingredient as this product unless the label of either tank mix partner specifies the maximum dosages that may be used.
- For products packaged in water-soluble packaging, do not tank mix with products containing boron or mix in equipment previously used to apply a product mixture containing boron unless the tank and spray equipment has been adequately cleaned. (See instructions for Sprayer Clean-Out.)
- Always perform a (jar) test to ensure the compatibility of products to be used in tank mixture.

Tank Mix Compatibility Testing:

A jar test is recommended prior to tank mixing to ensure compatibility of ALLIGARE CLOPYRALID 3 and other pesticides. Use a clear glass quart jar with lid and mix the tank mix ingredients in their relative proportions. Invert the jar containing the mixture several times and observe the mixture for approximately 1/2 hour. If the mixture balls-up, forms flakes, sludges, jels, oily films or layers, or other precipitates, it is not compatible and the tank mix combination should not be used.

APPLICATION DIRECTIONS

Application Timing:

Apply to actively growing weeds. Extreme growing conditions such as drought or near freezing temperatures prior to, at, and following time of application may reduce weed control. Only weeds that have emerged at the time of application will be affected. Wet foliage at the time of application may decrease control. The treatment with ALLIGARE CLOPYRALID 3 will be rainfast within 2 hours after application.

Application Rates:

Generally, application rates at the lower end of the recommended rate range will be satisfactory for young, succulent growth of susceptible weed species. For less sensitive species, perennials, and under conditions where control is more difficult (plant stress conditions such as drought or extreme temperatures, dense weed stands and/or large weeds), the higher rates within the rate range will be needed.

Use of Adjuvants:

Addition of surfactants, crop oils, or other adjuvants may increase effectiveness of ALLIGARE CLOPYRALID 3 herbicide. If an adjuvant is added to the spray solution, follow all manufacturer use

guidelines.

Spray Coverage:

Use sufficient spray volume to provide thorough coverage and a uniform spray pattern. Do not broadcast apply in less than 2 gallons of total spray volume per acre. For best results and to minimize spray drift, apply in a spray volume of 10 or more gallons per acre. As vegetative canopy and weed density increase, spray volume should be increased to obtain equivalent weed control. Use only nozzle types and spray equipment designed for herbicide application. To reduce spray drift, follow precautions under Avoiding Injury to Non-Target Plants.

Cut Surface Treatments: Apply ALLIGARE CLOPYRALID 3 in rights-of-way and other non-crop areas to control unwanted trees and vines in the legume family such as mimosa, locust, redbud and wisteria.

Stump Treatment: Spray or paint the cut surfaces of freshly cut stumps and stubs with a 50/50 mix of ALLIGARE CLOPYRALID 3 and water. The cambium area next to the bark is the most vital area to wet. This should be done as soon as the tree or vine has been cut.

BROADLEAF WEEDS CONTROLLED

acacias	locoweed, lambert
artichoke, Jerusalem	locoweed, white
buckwheat, wild	marshelder
buffalobur+	mesquite
burdock, common	nightshade, cutleaf
chamomile, false (scentless)	nightshade, eastern black
chamomile, mayweed (dogfennel)	nightshade, hairy
clover, black medic	oxeye daisy
clover, hop	pineappleweed
clover, red	ragweed, common
clover, white	ragweed, giant
cocklebur, common	salsify, meadow (goatsbeard)
coffeeweed	sicklepod
cornflower (bachelor button)	smartweed, green+
dandelion	sorrel, red
dock, curly	sowthistle, annual
groundsel, common	sowthistle, perennial+
hawksbeard, narrowleaf	starthistle, yellow
hawkweed, orange	sunflower (common and wild)
hawkweed, yellow	teasel, common
horseweed	thistle, artichoke
jimsonweed	thistle, bull
knapweed, diffuse	thistle, Canada (rosette to bud)
knapweed, Russian+	thistle, Italian
knapweed, spotted	thistle, musk (rosette to bud)
ladysthumb+	vetch
lettuce, prickly	

+These weeds may only be suppressed. Suppression is a visual reduction in weed competition (reduced population or vigor) as compared to untreated areas. The degree and duration of weed control will vary with weed size and density, application rate and coverage, and growing conditions before, during, and after the time of treatment. For perennial weeds such as Russian knapweed, and perennial sowthistle, ALLIGARE CLOPYRALID 3 will control the initial top growth and inhibit regrowth during the season of application (season-long control). At higher use rates shown on this label, ALLIGARE CLOPYRALID 3 may cause a reduction in shoot regrowth in the season following application; however, plant response

may be inconsistent due to inherent variability in shoot regrowth from perennial root systems.

WOODY PLANTS AND VINES CONTROLLED

eastern redbud
kudzu
locust (spp)

mimosa (silktree)
wisteria

BROADLEAF WEEDS CONTROLLED (California Only)

knapweed, diffuse
knapweed, Russian+
knapweed, spotted
starthistle, yellow

thistle, artichoke
thistle, Canada (rosette to bud)
thistle, Italian
thistle, musk (rosette to bud)

+These weeds may only be suppressed. Suppression is a visual reduction in weed competition (reduced population or vigor) as compared to untreated areas. The degree and duration of weed control will vary with weed size and density, application rate and coverage, and growing conditions before, during, and after the time of treatment.

NON-CROPLAND USE (ALL STATES EXCEPT CALIFORNIA)

For use on non-cropland areas such as industrial manufacturing and storage sites and rights-of-way such as along roadsides, electrical power lines, communication lines, pipelines and railroads, including grazed areas on these sites and forest spot application adjacent to these sites.

Broadcast Application (Ground or Aerial)

For control of broadleaf weeds, apply 1 /4 to 1 1/3 pints per acre of ALLIGARE CLOPYRALID 3 (equivalent to 0.09 to 0.5 lb acid equivalent per acre).

Non-ionic surfactant should be used in spray mixtures at 1 to 2 quarts per 100 gallons of spray mixture. The lower rate of 1/4 pint per acre provides acceptable control of weeds only under highly favorable plant growing conditions and when plants are no larger than 3 to 6 inches tall. Where Canada thistle or knapweed is the primary pest, best results are obtained by applying 2/3 to 1 1/3 pints per acre of ALLIGARE CLOPYRALID 3 after basal leaves are produced. ALLIGARE CLOPYRALID 3 can be applied in an invert emulsion using oil and an appropriate inverting agent. Follow label directions of the inverting agent. Established grasses are tolerant to ALLIGARE CLOPYRALID 3 but new grass seedlings may be injured to varying degrees until the grass has become well established as indicated by vigorous growth and development of tillers and secondary roots.

High-Volume Leaf Stem Treatment (Ground Application)

For control of broadleaves and certain woody plants (e.g., mesquite), use 1 to 3 quarts of ALLIGARE CLOPYRALID 3 per 100 gallons of total spray. Thorough coverage is necessary for good results; therefore, apply as a complete spray-to-wet foliar application, including all leaves, stems, and root collars but not to exceed a total application rate of more than 1 1/3 pints per acre of ALLIGARE CLOPYRALID 3. To minimize drift, use low spray pressure and keep sprays no higher than the tree crowns. Trees taller than 8 feet in height may be difficult to treat efficiently and obtain thorough coverage.

Unsatisfactory control may result if application is made when brush and weeds are under severe drought stress or other adverse conditions that inhibit plant growth. Environmental conditions may significantly influence results. For best results on mesquite, apply in the spring or early summer, 40 to 90 days after

the first green growth appears and when soil moisture is adequate for active growth. A soil temperature of 75° to 83°F at a depth of 12 to 18 inches is optimal for good plant kills. Soil temperature of less than 75°F at this depth will reduce the ultimate root kill of mesquite.

NON-CROPLAND USE (CALIFORNIA ONLY)

For use on non-cropland areas such as industrial manufacturing and storage sites and rights-of-way such as along roadsides, electrical power lines, communication lines, pipelines and railroads, including grazed areas on these sites and forest spot application adjacent to these sites.

Broadcast Application (Ground or Aerial)

For control of broadleaf weeds, apply 1/4 to 2/3 pint per acre of ALLIGARE CLOPYRALID 3 (equivalent to 0.09 to 0.25 lb a.e. per acre). Non-ionic surfactant should be used in spray mixtures at 1 to 2 quarts per 100 gallons of spray mixture. The lower rate of 1/4 pint per acre provides acceptable control of weeds only under highly favorable plant growing conditions and when plants are no larger than 3 to 6 inches tall. Where Canada thistle or knapweeds are the primary pest, best results are obtained by applying 2/3 pint per acre of ALLIGARE CLOPYRALID 3 after basal leaves are produced. Spray volumes of 20 gallons or more per acre for ground roadside and rights-of-way applications and spray volumes 5 gallons or more per acre or more for aerial applications will ensure adequate coverage. ALLIGARE CLOPYRALID 3 can be applied in an invert emulsion using oil and an appropriate inverting agent. Follow label directions of the inverting agent. Established grasses are tolerant to ALLIGARE CLOPYRALID 3, but new grass seedlings may be injured to varying degrees until the grass has become well established as indicated by vigorous growth and development of tillers and secondary roots.

FOREST SITES, INCLUDING TREE PLANTINGS

ALLIGARE CLOPYRALID 3 herbicide may be applied for control of certain problem weeds growing in forest sites, including tree plantings. ALLIGARE CLOPYRALID 3 should be applied either at site preparation or after trees are planted (tree release). ALLIGARE CLOPYRALID 3 applications over-the-top of tolerant tree species may be made anytime during the season, however some needle/leaf curling may occur if applied during active tree growth. This effect is transient and trees should recover by the end of the same growing season or early in the following growing season.

Examples of tolerant tree species:

loblolly pine	grand fir	white ash	bur oak
lodgepole pine	noble fir	hybrid aspen	cherry bark oak
longleaf pine	Pacific silver fir	choke cherry	red oak
ponderosa pine	incense cedar	cherry	sawtooth oak
red pine	Eastern red cedar	cottonwood	white oak
Scotch pine	Western red cedar	crab apple	Russian olive
slash pine	Western hemlock	hackberry	hybrid poplar
shortleaf pine	Norway spruce	hickory	sumac
Virginia pine	white spruce	European larch	sycamore
white pine	green ash	sugar maple	black walnut
Douglas fir			

Broadcast Applications: Apply the required amount of ALLIGARE CLOPYRALID 3 in 5 or more gallons of water per acre to achieve thorough and uniform spray coverage of target weeds using ground equipment or helicopter.

ALLIGARE CLOPYRALID 3 will not control mustards, henbit, chickweed, kochia, lambsquarters, pigweed, Russian thistle and bindweed.

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Weed Species	ALLIGARE CLOPYRALID 3	Specific Use Directions
General weed control	¼ - 1 1/3	Apply when weeds are small and actively growing. The lower rate of ¼ pt/acre provides acceptable control of weeds only under highly favorable plant growing conditions and when weeds are no more than 3 – 6 inches tall.
Canada thistle Diffuse knapweed Spotted knapweed	1/3 – 1 1/3	For best results, apply after the majority of basal leaves have emerged, up to early bud stage. Treatments applied prior to the emergence of the majority of basal leaves or at later growth stages may result in only partial control.
Bull thistle Musk thistle Yellow starthistle Hawkweeds	2/3 – 1 1/3	For best results, apply from rosette to bolting stage of growth.
Kudzu+ (Not for use in California)	2/3 – 1 1/3	Applications of ALLIGARE CLOPYRALID 3 herbicide are most effective between late June and early October, as long as the kudzu are actively growing and not under drought stress. The ideal time to apply ALLIGARE CLOPYRALID 3 is during vigorous growth and just prior to or during flowering.

+To control kudzu in Florida, ALLIGARE CLOPYRALID 3 can be used only in the following counties: Bay, Bradford, Calhoun, Escambia, Franklin, Gadsden, Gulf, Hamilton, Jackson, Jefferson, Lafayette, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Suwanee, Taylor, Wakulla, Walton and Washington.

Spot Application: Spot applications should be applied at an equivalent broadcast rate. Follow instructions for hand-held sprayers below. Direct spray onto weeds and avoid spraying trees where possible.

Hand-Held Sprayers: Hand-held sprayers may be used for spot applications of ALLIGARE CLOPYRALID 3 if care is taken to apply the spray uniformly and at a rate equivalent to a broadcast application. Application rates in the table are based on an area of 1,000 sq ft. Mix the amount of ALLIGARE CLOPYRALID 3 (fl oz or ml) corresponding to the desired broadcast rate in one or more gallons of spray. To calculate the amount of ALLIGARE CLOPYRALID 3 required for larger areas, multiply the table value (fl oz or ml) by the area to be treated in "thousands" of square feet, e.g., if the area to be treated is 3,500 sq ft, multiply the table value by 3.5 (calculation, 3,500 ÷ 1,000 = 3.5). An area of 1000 sq ft is approximately 10.5 X 10.5 yards (sides) in size.

Amount of ALLIGARE CLOPYRALID 3 to Treat an Area of 1000 sq ft (Mix in one or more gallons of spray)		
2/3 pt/acre	1 pt/acre	1 1/3 pt/acre
1 1/4 fl oz (7.3 ml)	3/8 fl oz (11 ml)	1 1/2 fl oz (15 ml)

1 fl oz = 29.6 (30) ml

Tank-Mixing: ALLIGARE CLOPYRALID 3 may be applied in tank mix combination with Garlon® 4, Garlon® 3A, 2,4-D, atrazine, Oust® or Velpar® DF herbicides as per label directions for forest site uses. Carefully follow applicable directions for use, precautions and limitations on the product labels of each tank mix product used, because products other than ALLIGARE CLOPYRALID 3 may cause injury when ALLIGARE CLOPYRALID 3 could be used alone without injury.

Precautions and Restrictions:

- Applications of ALLIGARE CLOPYRALID 3 over actively growing conifers may cause some needle curling. Tree injury in the form of needle curling may be increased by the addition of a surfactant or crop oil with broadcast applications of ALLIGARE CLOPYRALID 3. Do not use a surfactant or crop oil unless previous experience shows such injury can be tolerated.
- Application of ALLIGARE CLOPYRALID 3 to broadleaf (hardwood) tree species may cause some leaf burning and malformation. This injury is transient in nature, except plants in the legume family (see below). Addition of surfactant or crop oil may increase the severity of this injury.
- True firs (grand, noble, and pacific silver firs) show more needle curling than other conifers when higher rates are used. Use lower rates in rate range for broadcast applications or use directed sprays where possible if needle curling is undesirable.
- Application of ALLIGARE CLOPYRALID 3 to plants in the legume family (such as locust, redbud, mimosa and lupine) or to box elder, persimmon or sassafras will cause severe damage or destruction of such plants.
- Do not use in forest nursery beds.

RANGELAND AND PERMANENT GRASS PASTURES
(For use in Western States, Including California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, South Dakota, Utah, Washington and Wyoming)

Use ALLIGARE CLOPYRALID 3 to control susceptible broadleaf weeds on rangeland areas or established forage grasses in permanent grass pastures. Best results on most weeds are obtained when weeds are small and actively growing (see specific information below) and application is made in 10 or more gallons per acre of water using ground equipment.

There are no grazing or haying restrictions following ALLIGARE CLOPYRALID 3 applications when used at labeled rates.

Application Rates:

Apply ALLIGARE CLOPYRALID 3 at a rate of 1/3 to 1 1/3 pint per acre when weeds are young and actively growing.

ALLIGARE CLOPYRALID 3 may be applied as described below for control of spotted and diffuse knapweed, Canada thistle, musk thistle, yellow starthistle and suppression of Russian knapweed. Use the lower labeled application rate for young, actively growing weeds. The higher rate should be used under less favorable growing conditions, or on dense weed stands and/or larger weeds. ALLIGARE CLOPYRALID 3 may also be tank mixed with 2,4-D at 1/2 to 1 lb acid equivalent per acre where weed species present are susceptible to 2,4-D.

Weed Species	Rate per Acre (pint/acre)	Application Timing
Thistle, musk	1/3 – 1*	Apply from rosette to early bolt growth stage.
Thistle, artichoke Thistle, Italian	1/3 – 2/3	Apply at the rosette growth stage.
Starthistle, yellow	1/2 - 1	Apply from rosette to mid-bolt growth stage
Knapweed, diffuse Knapweed, spotted	2/3 - 1	Apply any time plants are actively growing, including fall regrowth. Optimum time is from mid bolt to late bud stage of growth.
Thistle, artichoke Thistle, Italian	2/3 - 1	Apply during the bolting growth stage.

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Weed Species	Rate per Acre (pint/acre)	Application Timing
Thistle, Canada	2/3 – 1 1/3	Apply after the majority of the basal leaves have emerged through the beginning of the bud stage. Treatment may also be applied to fall regrowth.
Russian Knapweed (suppression)	1 - 1 1/3	Apply from bud to mid-flower growth stage or treat fall regrowth.

*ALLIGARE CLOPYRALID 3 may be applied to musk thistle in the rosette stage at 1/3 pint per acre only when applied in tank mixture with 2,4-D at 1/2 to 1 lb acid equivalent per acre. Otherwise, apply ALLIGARE CLOPYRALID 3 to musk thistle at 2/3 to 1 pint per acre.

COTTONWOOD/POPLAR AND EUCALYPTUS TREE PLANTATIONS

ALLIGARE CLOPYRALID 3 may be used for postemergence control of labeled broadleaf weeds in new and established plantings of cottonwood/poplar and eucalyptus tree plantations. Apply as a broadcast foliar spray over trees or as a banded or directed spray at a rate of 1/3 to 2/3 pints/acre. Apply in 10 or more gallons per acre total spray volume using ground equipment only. Multiple applications may be made as long as the total rate per annual use season does not exceed 1 1/3 pints/acre. Apply to new plantings only after they are well-established as indicated by several inches of new healthy growth.

Hand-Held Sprayers:

Spot applications using hand held equipment are also allowed, but contact with tree foliage should be avoided or limited to lower branches. Apply to weeds on a spray-to-wet basis with spray coverage uniform and complete. Do not spray to the point of run-off. Prepare a spray solution by adding 1/4 fl oz ALLIGARE CLOPYRALID 3 per gallon of water. When applied at 1 gallon of spray per 1000 sq ft, this spray concentration is equivalent to a broadcast rate of 2/3 pint per acre.

Specific Use Precautions:

- Do not tank mix ALLIGARE CLOPYRALID 3 with other herbicides labeled for this use unless applicator can insure that spray avoids all contact with tree foliage.
- ALLIGARE CLOPYRALID 3 will not control certain broadleaf weeds, including mustards, henbit, chickweed, kochia, lambsquarters, pigweed, Russian thistle and bindweed.

CONTROL OF KUDZU IN UTILITY RIGHTS-OF-WAY, ROADSIDES, AND OTHER NON-CROP AREAS

Pints of ALLIGARE CLOPYRALID 3 per Acre Equivalent to Rates in fl oz or mL per 1000 sq ft		
2/3 pint/acre	1 pint/acre	1 1/3 pint/acre
1/4 fl oz (7.3 mL)	3/8 fl oz (11 mL)	1/2 fl oz (15 mL)

Application Timing

For control of kudzu, apply ALLIGARE CLOPYRALID 3 between late June and early October, as long as the kudzu is actively growing and not under drought stress. The ideal time to apply ALLIGARE CLOPYRALID 3 is during vigorous growth and just prior to or during flowering. For best results on control of all other labeled weed species, apply ALLIGARE CLOPYRALID 3 when weeds are small and actively growing. Extreme growing conditions such as drought or near freezing temperatures prior to, at, and following time of application may reduce weed control. Only weeds that have emerged at the time of application will be affected. Wet foliage at the time of application may decrease control.

The treatment with ALLIGARE CLOPYRALID 3 will be rainfast within 2 hours after application.

Tank Mixtures

ALLIGARE CLOPYRALID 3 may be tank mixed with labeled rates of other herbicides provided the tank mix product is labeled for the timing and method of application for the use site to be treated and tank mixing is not prohibited by the label of the tank mix product. Carefully follow applicable directions for use, precautions and limitations on the label of each product use; tank mixtures with other products may cause plant injury.

Broadcast Application (Ground or Aerial)

Apply at a rate of 2/3 to 1 1/3 pt/acre of ALLIGARE CLOPYRALID 3. Sequential applications may be made as long as the total rate per annual use season does not exceed 1 1/3 pt/acre. The lower rate of 2/3 pint per acre provides acceptable control of weeds only under highly favorable plant growing conditions and when plants are no larger than 3 to 6 inches tall. Spray volumes of 20 gallons or more per acre for ground, roadside and rights-of-way applications and spray volumes of 5 gallons or more per acre or more for aerial applications will ensure adequate coverage. ALLIGARE CLOPYRALID 3 can be applied in an invert emulsion using oil and an appropriate inverting agent. Follow label directions of the inverting agent.

Spot Applications to Control Labeled Weed Species

Hand held sprayers may be used for spot applications of ALLIGARE CLOPYRALID 3 if care is taken to apply the spray uniformly and at a rate equivalent to a broadcast application. When applied as a spot treatment, apply to weeds on a spray-to-wet basis (not to runoff). Contact with foliage of cottonwood/poplar trees should be avoided or limited to lower branches. Application rates in the following table are based on an area of 1000 sq ft. Mix the amount of ALLIGARE CLOPYRALID 3 (fl oz or mL) corresponding to the desired rate in one or more gallons of spray. To calculate the amount of ALLIGARE CLOPYRALID 3 required for larger areas, multiply the table value (fl oz or mL) by the area to be treated in "thousands" of square feet. For example, if the area to be treated is 3500 sq ft, multiply the table value by 3.5 (calculation: $3500 = 1000 = 3.5$).

MESQUITE CONTROL

For the control of mesquite and certain associated woody species on rangeland and permanent grass pastures only in Arizona, New Mexico, Oklahoma and Texas

ALLIGARE CLOPYRALID 3 will control mesquite and certain associated woody species, such as catclaw acacia and twisted acacia, on rangeland and permanent grass pastures in Arizona, New Mexico, Oklahoma and Texas. Very small amounts of this product can kill or injure sensitive broadleaf plants. To prevent accidental damage to crops and other desirable plants, follow all directions and precautions. This product affects plants directly through foliage and indirectly by root uptake from treated soil.

Removal of Woody Plants Following Treatment: To maximize woody plant control, do not disturb treated plants or remove by mechanical means or by fire for at least 1 year after application.

Grazing: There are no restrictions on grazing of treated areas following application of ALLIGARE CLOPYRALID 3 at labeled rates. Hay harvest is not considered to be feasible for at least 1 year following application of ALLIGARE CLOPYRALID 3 because of standing woody plants.

Do not spray pastures if injury to existing forage legumes or other desirable broadleaf plants cannot be tolerated. ALLIGARE CLOPYRALID 3 may injure or kill legume and certain other broadleaf plants. However, the stand and growth of established perennial grasses is usually improved after spraying, especially when rainfall is adequate and grazing is deferred.

Timing and Factors in Control: The herbicidal response of mesquite is strongly influenced by foliage condition, stage of growth and environmental conditions. For best results, apply when new growth foliage has turned from light to dark green, when the soil temperature is above 75°F at a depth of 12 to 18 inches, and soil moisture is adequate for plant growth. Application should be made within 60 days after the 75 F minimum soil temperature at the 12 to 18 inch depth has been reached. Product performance may be adversely affected if application is made before mesquite foliage has turned from light to dark green or if foliage has been injured or removed by late frost, insects, hail or plant diseases. Do not treat if mesquite exhibits new (light green) terminal growth in response to recent heavy rainfall during the growing season. Rate of soil warm-up at the 12 to 18-inch depth may vary with soil texture and drainage.

Coarse-textured (sandy) soils warm up sooner than fine-textured (clay) soils and dry soils warm up more quickly than wet soils.

The herbicidal symptoms of mesquite treated with ALLIGARE CLOPYRALID 3 are often different from those resulting from application of other herbicides. In some years, complete brownout and leaf drop of treated mesquite may be delayed and not occur before the first frost. Other herbicidal symptoms often observed could include discoloration and rupture and/or "bleeding" of bark on branches and trunks. Reapplication during the same growing season is not recommended. Re-treatment will not be effective until woody plants have developed sufficient new foliage to intercept the spray and provide uptake adequate to control the plant when translocated to the root system. Following mechanical removal, regrowth mesquite should be at least 4 feet tall before application of ALLIGARE CLOPYRALID 3.

Control of rangeland brush or weeds may be unsatisfactory under adverse growing conditions such as severe drought stress.

Broadcast Ground or Aerial Application: Use ALLIGARE CLOPYRALID 3 alone or in combination with Remedy® herbicide or Tordon™ 22K herbicide as recommended in the table below. See the General Information section for additional information.

Brush Species	Application Rates (pint/acre)	Specific Use Recommendations
mesquite	<p>1 1/3 ALLIGARE CLOPYRALID 3</p> <p>or</p> <p>2/3 - 1 1/3 ALLIGARE CLOPYRALID 3 plus 1/2 - 1 of Remedy®</p> <p>or</p> <p>2/3 - 1 1/3 ALLIGARE CLOPYRALID 3 plus 2 of Tordon™ 22K</p>	<p>See Timing and Factors in Control section for information on treatment of mesquite. Apply as a water spray or oil-water emulsion (see Mixing Instructions) in a total spray volume of 4 or more gal per acre by air or 10 or more gallons per acre by ground application using higher spray volumes with increasing brush density and height.</p> <p>Note: Where control of pricklypear cactus is desired, the tank mixture of ALLIGARE CLOPYRALID 3 and Tordon™ 22K should be used.</p>
South Texas mixed brush, including: mesquite, pricklypear, blackbrush, twisted acacia, catclaw acacia, granjeno and guajillo	<p>2/3 - 1.1/3 ALLIGARE CLOPYRALID 3 plus 2 of Tordon™ 22K</p>	<p>See Timing and Factors in Control section of the label for information on treatment of mesquite. Apply in a spray volume of 4 or more gal per acre by air or 20 or more gallons per acre by ground application using higher spray volumes with increasing brush density and height. For best results, apply as an oil-water emulsion.</p> <p>Note: Where non-legume species such as granjeno, oaks and hackberry predominate, Remedy® at 1 to 2 pt/acre may be substituted for ALLIGARE CLOPYRALID 3 in the tank mixture with Tordon™ 22K to improve control (see label for Remedy®.)</p>

Mesquite Control in Stands of Live Oak:

For the control of mesquite growing within stands of live oak, apply ALLIGARE CLOPYRALID 3 alone at 1 1/3 pt per acre. Apply only as a water dilution containing surfactant (0.25% v/v) at a total spray volume of 4 or more gal per acre aerially. Live oak over-sprayed with ALLIGARE CLOPYRALID 3 may show a 10 to

20 percent canopy reduction the year of treatment but will recover. Application of ALLIGARE CLOPYRALID 3 in tank mix combination with other herbicides may result in increased injury to live oak.

Individual Plant Treatment - Leaf Spray Method: For control of mesquite infestations of low to moderate density, ALLIGARE CLOPYRALID 3 may be applied to individual plants with backpack or hand-held sprayers or a vehicle-mounted sprayer with hand-held spray wand or spray gun. For individual plant treatment, use 2 quarts of ALLIGARE CLOPYRALID 3 in combination with 2 qt of Remedy® per 100 gal of total spray solution (1/2% v/v of each product), or use ALLIGARE CLOPYRALID 3 alone at 3 qt per 100 gal of total spray solution. Apply in water or as an oil-water emulsion as described in Mixing Instructions. If using an oil-water emulsion, add the oil at a rate of 5% of the total spray volume. Apply as a complete spray-to-wet foliar application, including all leaves. Thorough coverage is necessary for good results, but it is not necessary to spray to the point of runoff. The total amount of ALLIGARE CLOPYRALID 3 applied should not exceed 1 1/3 pt per acre. For best results, follow information given previously in Timing and Factors in Control section and do not spray when mesquite foliage is wet. This application method works best for brush less than 8 feet tall since efficient treatment and thorough coverage of taller brush is difficult to achieve with this method. To minimize drift, select a spray nozzle and pressure that will provide good coverage while forming a coarse spray. Additionally, drift may be reduced by using the minimum pressure necessary to obtain plant coverage without forming a mist and by directing sprays no higher than tops of target plants. If desired, a spray dye may be added to the spray mixture to mark the treated plants.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store above 28°F or warm to 40°F and agitate before use.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

PLASTIC CONTAINER DISPOSAL: Do not reuse container. Triple rinse (or equivalent). Puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

METAL CONTAINER DISPOSAL: Do not reuse container. Triple rinse (or equivalent). Puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

To the extent consistent with applicable law, upon purchase or use of this product, purchaser and user agree to the following terms:

Warranty: Alligare, LLC (the Company) warrants that this product conforms to the chemical description on the label in all material respects and is reasonably fit for the purpose referred to in the directions for use, subject to the exceptions noted below, which are beyond the Company's control. To the extent consistent with applicable law, the Company makes no other representation or warranty, express or implied, concerning the product, including no implied warranty of merchantability or fitness for a particular purpose. No such warranty shall be implied by law, and no agent or representative is authorized to make any such warranty on the Company's behalf.

Terms of Sale: The Company's directions for use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, and the manner of use or application (including failure to adhere to label directions), all of which are beyond the Company's control. To the extent consistent with applicable law, all such risks are assumed by the user.

Limitation of Liability: To the extent consistent with applicable law, the exclusive remedy against the Company for any cause of action relating to the handling or use of this product is a claim for damages, and in no event shall damages or any other recovery of any kind exceed the price of the product which caused the alleged loss, damage, injury or other claim. To the extent consistent with applicable law,

under no circumstances shall the Company be liable for any special, indirect, incidental or consequential damages of any kind, including loss of profits or income, and any such claims are hereby waived. Some states do not allow the exclusion or limitation of incidental or consequential damages.

The Company and the seller offer this product, and the purchaser and user accept this product, subject to the foregoing warranty, terms of sale and limitation of liability, which may be varied or modified only by an agreement in writing signed on behalf of the Company by an authorized representative.

Garlon® and Remedy® are registered trademarks and Tordon™ is a trademark of Dow AgroSciences LLC.

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