







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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Steve A. McMaster Regulatory Leader Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268

FEB 5 2010

Subject: Notification(s) for Label Revisions under PRN 2007-4

Dear Mr. McMaster:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated December 1, 2009 for:

EPA Registration 62719-97
EPA Registration 62719-217
EPA Registration 62719-226
EPA Registration 62719-226
EPA Registration 62719-98
Treflan E.C. Weed and Grass Preventer
XRM-5202 Specialty Herbicide
Dow AgroSciences Brush & Weed Herbicide
Treflan 5G

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identify the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

20125

Please read instructions on reverse before completing form.	Form /	Approved. OMB No.	2070-0060. Approval expires 2-28-9
United States  Environmental Protect Washington, DC 2	tion Agency	Registra Amenda  Other	OPP Identifier Number
Applicat	tion for Pesticide - Se	ction I	
Company/Product Number     Dow AgroSciences LLC/62719-98	2. EPA Product M James Tompki	-	3. Proposed Classification  None Restricted
4. Company/Product (Name) Dow AgroSciences LLC/Treflan 5G	PM# 25		Thomas Transmitted
5. Name and Address of Applicant (Include ZIP Code)	6. Expedited R	eveiw. In accorda	nce with FIFRA Section 3(c)(3)
Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268	to:		tical in composition and labeling
Check if this is a new address	Product Name	9	
	Section - II	_	
Amendment - Explain below.  Resubmission in response to Agency letter dated  Notification - Explain below.	Agency "Me Too	nted labels in repsons letter dated " Application. Explain below.	NOTIFICATION FEB - 5 2010
regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 1 formula for this product. I understand that it is a violation of 18 U amended label is not consistent with the requirements of 40 CFF and I may be subject to enforcement action and penalties under	J.S.C. Sec. 1001 to willfully make R 156.10, 156.140, 156.144, 156.	any false statement to	EPA. I further understand that if the
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging  Yes  ✓ No  * Certification must be submitted  Unit Packaging  ✓ Yes  No. per Unit Packaging wgt.	Water Soluble Packaging  Yes  ✓ No  If "Yes" No. processors  Package wgt contains		Container  Metal Plastic Glass Paper Other (Specify)
50 lb 1			
3. Location of Net Contents Information 4. Size(s) f	Retail Container 50 lb	5. Location of Lal	
6. Manner in Which Label is Affixed to Product  Lithograph Paper glued Stenciled  Other			
	Section - IV		
1. Contact Point (Complete items directly below for identifica	ntion of individual to be contact	ed, if necessary, to pi	rocess this application.)
Name Steve A. McMaster	Title Regulatory Manager		Telephone No. (Include Area Code) ((317) 337-4670 (fax: 317-337-4649)
Certifi I certify that the statements I have made on this form a I acknowledge that any knowlingly false or misleading a both under applicable law.	nd all attachments thereto are	rue, accurate and co y fine or imprisonmer	cocci (Stemped)
2. Signature Soy for	3. Title Regulatory Manager	-	((((
4. Typed Name	5. Date		( ( (

Steve A. McMaster (samcmaster@dow.com)

December 1, 2009

Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268-1054





308/2E December 1, 2009

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

TREFLAN 5G (A.I. TRIFLURALIN) EPA REGISTRATION NUMBER: 62719-98 NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 2007-4

Enclosed please find labeling for the notification action of Treflan® 5G specialty herbicide. The following change has been made by notification:

1. Storage and Disposal: Revised section per PR Notice 2007-4.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

#### **Contents of Submission**

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Treflan 5G (T2E/Treflan 5G/Notif/12-01-09) (21 Pages plus Registration Notes) (1 Copy)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655.

Sincerely,

Steve A. McMaster Regulatory Leader (317) 337-4670 (317) 337-4649 (FAX)

Enclosures

<sup>&</sup>lt;sup>®</sup>Trademark of Dow AgroSciences LLC

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T2E / Treflan 5G / Notif / 12-01-09 file: Treflan 5G-98 01Dec09N.doc

# Treflan® 5G

EPA Reg. No. 62719-98

# **Registration Notes:**

**Source label text** based on EPA accepted copy dated November 20, 2001 and notification coded "T2E / Treflan 5G / Notif / 08-31-07."

Change by notification:

1. Storage and Disposal: Revised section per PR Notice 2007-4.

<sup>®</sup>Trademark of Dow AgroSciences LLC



(Base label):

# Treflan® 5G

# **NOTIFICATION**

# FEB - 5 2010

# **Specialty Herbicide**

A selective preemergence herbicide for control of certain annual grasses and broadleaf weeds in:

- Container Grown Ornamentals
- Landscape Ornamentals
- Nursery Stock
- Groundcovers
- Established Flowers
- Ornamental Bulbs

 Non-Bearing Fruit and Nut Trees and Non-Bearing Vineyards

.....

- Christmas Tree Plantations
- Non-Cropland
- Under Paved Surfaces

Active Ingredient:	Activ	ve Ir	nare	dient	:
--------------------	-------	-------	------	-------	---

trifluralin: α,α,α-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine	5%
Other Ingredients	95%
Total	

Contains 2 lb active ingredient per 40 lb bag.

# 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.)

# **Precautionary Statements**

# **Hazards to Humans and Domestic Animals**

# **Causes Moderate Eye Irritation**

Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

# Personal Protective Equipment (PPE)

# Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- Chemical resistant gloves, such as butyl rubber ≥11 mils; or natural rubber ≥14 mils; or nitrile rubber ≥14 mils
- · Shoes plus socks

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

# **Engineering Controls**

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets with requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170,240 (d) (4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.



# **User Safety Recommendations**

Users should:

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

# **First Aid**

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

**If swallowed:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give **any** liquid to the person. Do not give anything by mouth to an unconscious person.

If on skin or clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call poison control center or doctor for treatment advice.

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

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

# **Environmental Hazards**

This pesticide is extremely toxic to freshwater marine, and estuarine fish and aquatic invertebrates including shrimp and oyster. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply in a manner that will directly expose canals, lakes, streams, ponds, marshes or estuaries to aerial drift. Do not contaminate water when disposing of equipment washwaters.

# **Agricultural Use Requirements**

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

# (Storage and Disposal for rigid containers 5 gal or less)

# Storage and Disposal

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

Pesticide Storage: Store in original container only. In case of leak or spill, contain material and dispose as waste

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

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure 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 1/4 full with water and recap. Shake for 10 seconds. Pour ribsate 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. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect the flow begins to drip. Hold container upside down over application equipment or mix tank or collect the rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other.



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procedures allowed by state and local authorities.

# (Storage and Disposal for nonrigid containers any size)

# Storage and Disposal

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

Pesticide Storage: Store in original container only. In case of leak or spill, contain material and dispose as waste.

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

**Container Handling:** Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

# (Storage and Disposal for refillable rigid containers greater than 5 gal)

# Storage and Disposal

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

Pesticide Storage: Store in original container only. In case of leak or spill, contain material and dispose as waste.

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

**Container Handling:** Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

# (Storage and Disposal for nonrefillable rigid containers larger than 5 gal)

# Storage and Disposal

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

Pesticide Storage: Store in original container only. In case of leak or spill, contain material and dispose as waste.

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

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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 or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip effold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available, or publicture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

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

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

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

EPA Reg. No. 62719-98

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

<sup>®</sup>Trademark of Dow AgroSciences LLC Produced for Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268

Net Weight: \_\_\_

(Label booklet cover):

# Treflan® 5G

# **Specialty Herbicide**

A selective preemergence herbicide for control of certain annual grasses and broadleaf weeds in:

- Container Grown Ornamentals
- Landscape Ornamentals
- Nursery Stock
- Groundcovers
- Established Flowers
- Ornamental Bulbs

- Non-Bearing Fruit and Nut Trees and Non-Bearing Vineyards
- Christmas Tree Plantations
- Non-Cropland
- Under Paved Surfaces

Active Ingredient:

trifluralin: α,α,α-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine	%
Other Ingredients	5%
Total	

Contains 2 lb active ingredient per 40 lb bag.

# 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.)

# **Agricultural Use Requirements**

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

Refer to inside of label booklet for additional precautionary information including Directions for Use.

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

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

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EPA Reg. No. 62719-98

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

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Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Page 6

Net Weight: \_\_

(Page 1 through end):

# **Precautionary Statements**

# **Hazards to Humans and Domestic Animals**

# CAUTION

**Causes Moderate Eye Irritation** 

Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

# Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- Chemical resistant gloves, such as butyl rubber ≥11 mils; or natural rubber ≥14 mils; or nitrile rubber ≥14 mils
- Shoes plus socks

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

# **Engineering Controls**

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

# **User Safety Recommendations**

Users should:

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

#### First Aid

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

**If swallowed:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give **any** liquid to the person. Do not give anything by mouth to an unconscious person.

If on skin or clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call poison control center or doctor for treatment advice.

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

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

# **Environmental Hazards**

This pesticide is extremely toxic to freshwater marine, and estuarine fish and aquatic invertebrates including shrimp and oyster. Do not apply directly to water, or to areas where surface water is present or

to intertidal areas below the mean high water mark. Do not apply in a manner that will directly expose canals, lakes, streams, ponds, marshes or estuaries to aerial drift. Do not contaminate water when disposing of equipment washwaters.

# **Directions for Use**

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

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

# **Agricultural Use Requirements**

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

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

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

- Coveralls
- Chemical-resistant gloves
- Shoes plus socks

# **Non-Agricultural Use Requirements**

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

Do not enter or allow others to enter the treated area until dusts have settled. If soil incorporation is required after the application, do not enter or allow others to enter the treated area (except those persons involved in the incorporation) until the incorporation is complete. If the incorporation is accomplished by watering-in, do not enter or allow others to enter the treated area until the surface is dry after the watering-in

# Storage and Disposal

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

**Pesticide Storage:** Store in original container only. In case of leak or spill, contain material and dispose as waste.

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

# Nonrefillable rigid containers 5 gallons or less:

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure 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 1/4 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. **Pressure rinse** as follows: Empty

the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

# Nonrefillable nonrigid containers:

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

# Refillable rigid containers larger than 5 gal:

Container Handling: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

# Nonrefillable rigid containers larger than 5 gal:

Container Handling: Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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 or store rinsate for later use or disposal. Repeat this procedure two more times. Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

# **General Information**

Treflan® 5G specialty herbicide is a preemergence herbicide for control of certain annual grasses and broadleaf weeds in container grown ornamentals, landscape ornamentals, nursery stock, groundcovers, established flowers, ornamental bulbs, non-bearing fruit and nut trees and non-bearing vineyards, Christmas tree plantations, non-cropland, and under paved surfaces. Apply Treflan 5G before or after planting, but prior to germination of target weeds, or immediately after cultivation. Length of weed control will vary with weed population, potting media or soil conditions, temperature, watering regime, and other factors. Following application, user should monitor and observe level of weed control over time to determine when additional applications may be needed. Repeat applications should not be made sooner than 60 days after a previous application of Treflan 5G. Do not apply over 240 lb per acre total of Treflan 5G within a 12-month period.

# **General Use Precautions**

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Treflan 5G does not control established weeds. Existing weeds should be controlled by cultivation or with postemergence herbicides. Weed residues, prunings and trash should be removed or thoroughly mixed into soil prior to treatment. Soil should be in good condition and free of clods at the time of application. A single rainfall or sprinkler irrigation of 0.5 inches or more, or flood irrigation, is required to activate Treflan 5G. Optimum weed control is obtained when Treflan 5G is activated within 3 days of application. If rainfall or irrigation has not occurred within 3 days of application and tillage is possible, Treflan 5G may be activated using cultivation equipment capable of uniformly mixing the herbicide into the upper 1 to 2 inches of soil. Failure to activate Treflan 5G within 3 days of application may result in erratic weed control. Do not apply when wind conditions favor drift of Treflan 5G granules from the target area.

Optimum weed control will be obtained when followed by overhead irrigation or rainfall within a few hours after surface application.

# Do not aerially apply this product.

# **Weeds Controlled**

The following weeds are controlled when Treflan 5G is applied at 80 lb per acre (1.8 lb per 1000 sq ft):

Scientific Name
Hordeum leporinum Echinochloa crus-galli Poa annua Bromus spp. Bromus secalinus Digitaria spp. Eriochloa gracilis Vulpia myuros Setaria spp. Eleusine indica Echinochloa colonum Eragrostis spp. Avena fatua Panicum dichotomiflorum Cenchrus incertus Brachiaria spp.
Leptochloa univervia Eragrostis cilianensis Panicum capillare

# **Annual Broadleaf Weeds**

chickweed, common	Stellaria media
goosefoot, nettleleaf	Chenopodium murale
knotweed, prostrate	Polygonum aviculare
kochia	Kochia scoparia
lambsquarters, common	Chenopodium album
nettle, stinging	Urtica dioica
pigweed	Amaranthus spp.
purslane, common	Portulaca oleracea
thistle, Russian	Salsola iberica

The following weeds are partially controlled or suppressed when Treflan 5G is applied at 80 lb per acre (1.8 lb per 1000 sq ft):

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**Common Name** 

carpetweed johnsongrass (from seed) panicum, Texas pusley, Florida shattercane

Scientific Name

Mollugo verticillata Sorghum halepense Panicum texanum Richardia scabra Sorghum bicolor

# **Application Directions**

Apply Treflan 5G using a drop or rotary-type spreader designed to apply granular herbicides or insecticides. Calibrate application equipment prior to use according to manufacturer's directions. Check frequently to be sure equipment is working properly and distributing granules uniformly. Do not use spreaders that apply material in narrow concentrated bands. Avoid skips or overlaps as poor weed control or plant injury may occur. More uniform application may be achieved by spreading half of the required amount of product over the area and then applying the remaining half in swaths at right angles to the first.

# **Application Techniques**

When using a drop-type spreader, a splash board mounted under the hopper will provide more even granule distribution.

A chain fastened to the side of the spreader and allowed to drag on the soil surface can be used to mark the edge of the treated swath and help prevent skips or overlaps.

For treating smaller areas or rows of nursery stock or ornamental beds, a hand held or push-type rotary applicator such as whirlybird or cyclone unit is recommended. For hand held units, walk and turn the crank at a constant rate of speed.

A shaker-type applicator made from a small container with holes punched in the bottom is recommended for small, hard to treat areas. Carefully measure the amount of product needed to avoid over-application.

#### Uses

# Container Grown Ornamentals, Landscape Ornamentals, Nursery Stock, Groundcovers, Established Flowers, Ornamental Bulbs, Non-Bearing Fruit and Nut Trees and Non-Bearing Vineyards, and Christmas Tree Plantations

Treflan 5G is recommended as a preemergence treatment for control of certain annual grasses and broadleaf weeds in container grown ornamentals, landscape ornamentals, nursery stock, groundcovers, established flowers, ornamental bulbs, non-bearing fruit and nut trees and non-bearing vineyards and Christmas tree plantations. Apply Treflan 5G before or after planting but prior to germination of target weeds, or immediately after cultivation.

Refer to the General Information section of this label for general use precautions and information on application, application rates and weeds controlled.

# **Special Use Precautions:**

To avoid possible injury, do not apply Treflan 5G to:

- nursery forest or Christmas tree seedling beds, cutting beds, or transplant beds
- unrooted liners or cuttings that have been planted in pots for the first time
- · pots less than four inches wide
- · groundcovers until they are established and well rooted

Do not apply Treflan 5G to newly transplanted ornamentals, nursery stock, groundcovers, flowers and non-bearing fruit and nut crops and non-bearing vineyards until soil or potting media has been settled by packing and irrigation or rainfall and no cracks are present or injury may occur.

Do not make preplant applications of Treflan 5G to areas where gladioli corms less than one inch in diameter will be planted or injury may occur.

Do not apply Treflan 5G in greenhouse or other enclosed structures.

Repeat applications should not be made sooner than 60 days after a previous application of Treflan 5G. Do not apply over 240 lb per acre total of Treflan 5G within a 12-month period.

Users who wish to use Treflan 5G on plant species not recommended on this label may determine suitability for such uses by making trial application of Treflan 5G at a recommended rate to small number of plants. Prior to using Treflan 5G on a larger number of plants, the treated plants should be observed for signs of herbicidal injury during 30 to 60 days of normal growing conditions to determine if the treatment is non-injurious to the target plant species. The user assumes responsibility for any plant damage or other liability resulting from the use of Treflan 5G on plant species not recommended on this label.

Treflan 5G may be used on the following established plant species when container grown or field grown:

#### **Common Name**

#### Scientific Name

-	
Т	raac
	1003

balsam fir white fir albus-flowering maple luteus-flowering maple roseus-flowering maple tangerine-flowering maple vesuvius red-flowering maple

flame maple Norway maple red maple red sunset maple

silver maple sugar maple queen palm river birch

paper birch European white birch

bottle tree black olive Chinese chestnut

carob redbud

filicoides-fernspray cypress gracilis-slender hinoki cypress

swara false cypress squarrosa-moss cypress

palm palm parlor palm

cloud nine dogwood flowering dogwood dogwood, kousa green hawthorn carrot wood

Arizona cypress

Abies balsamea Abies concolor Abutilon hybridum

Acer gimmala Acer platanoides Acer rubrum

Acer saccharinum Acer saccharum

Areacastrum romanzoffianum

Betula nigra Betula papyrifera Betula pendula

Brachychiton populneus

Bucida buceras Castanea mollissima Ceratonia siliqua Cercis canadensis Chamaecyparis obtusa

Chamaecyparis pisifera

Chamaedorea cataractarum Chamaedorea costaricana Chamaedorea elegans Cornus florida

Cornus kousa Crataegus viridis

Cupaniopsis anacardioides

Cupressus glabra

NOFLY

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Russian olive redgum eucalyptus mealy eucalyptus silver dollar eucalyptus

coolibah tree

red ironbark eucalyptus

ficus mini ficus white ash shamel ash

ginko-maidenhair tree

honey locust

shademaster honey locust

toyon

Florida anise-tree eastern red cedar Japanese larch American sweet gum

tuliptree
magnolia
crabapple
white mulberry
banana
blackgum
sourwood

Norway spruce

pendula-weeping Norway spruce repens-spreading Norway spruce

dwarf Alberta spruce

white spruce

dwarf globe blue spruce glauca-Colorado blue spruce hoopsii-hoop's blue spruce koster-koster blue spruce

bristlecone pine canary island pine shore pine, beach pine

eldarica pine Bosnian pine

pumilio-shrubby Swiss mountain pine

Austrian black pine monterey pine red pine loblolly pine white pine

columnar Scotch pine

Scotch pine

Japanese black pine London planetree American sycamore Califorina sycamore

podocarpus cottonwood Chilean mesquite yoshino flowering cherry

douglas fir

Elaeagnus angustifolia Eucalyptus camaldulensis Eucalyptus cinerea

Eucalyptus microtheca Eucalyptus sideroxylon Ficus benjamina

Fraxinus americana Fraxinus udhei Ginko biloba Gleditsia triacanthos

Heteromeles arbutiflora
Illicium floridanum
Juniperus virginiana
Larix kaempferi
Liquidambar styraciflua
Liriodendron tulipifera

Magnolia spp. Malus spp. Morus alba Musa aluminata Nyssa sylvatica

Oxydendrum arboreum

Picea abies

Picea glauca conica Picea glauca Picea pungens

Pinus canariensis
Pinus contorta
Pinus eldarica
Pinus leucodermis
Pinus mugo
Pinus nigra
Pinus radiata
Pinus resinosa
Pinus taeda
Pinus strobus
Pinus sylvestris

Pinus aristata

Pinus thunbergiana
Platanus acerifolia
Platanus occicentalis
Platanus racemosa
Podocarppus spp.
Populus deltoides
Prosopis chilensis
Prunus yedoensis
Pseudotsuga menziesii

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scarlet oak Quercus coccinea bear oak Quercus ilicifolia pin oak Quercus palustris willow oak Quercus phellos red oak Quercus rubra live oak Quercus virginiana black locust Robinia pseudoacacia

willow Salix spp.

giant sequoia Sequoiadendron giganteum mahogany Swietenia mahogani

yellow tab Tabebuia caraiba bald cypress Taxodium distichum

linden Tilia spp.

eastern hemlock Tsuga canadensis Chinese elm Ulmus parvifolia Mexican fan palm Washingtonia robusta

**Ornamental Shrubs** 

edward goucher abelia Abelia grandiflora

glossy abelia abyssinica acacia Acacia abyssinica prostrate acacia Acacia redolens Acacia stenophylla shoestring acacia copper leaf Acalypha wilkesiana amur maple Acer ginnala

coral bark Japanese maple Acer palmatum

dwarf Japanese maple

century plant Agave americana false spiraea Astilbe chinensis Japanese painted fern Athyrium nipponimcum Baccharis pilularis coyotebush Berberis gladwynensii william penn barberry mentor barberry Berberis mentorensis Berberis thunbergii

atropurea-redleaf Japanese barberry aurea-golden Japanese barberry

crimson pygmy barberry rose glow barberry barbara karst California gold

pink pixie scarlet o'hara temple fire Texas dawn

Japanese boxwood Korean boxwood common boxwood lemon bottlebrush weeping bottlebrush

spring torch scotch heather sasangua camellia Japanese camellia feathery cassia wild lilac plum yew

snow-in-summer kosteri cypress

Bougainvillea spp.

Buxus microphylla japonica Buxus microphylla Koreana

Buxus sempervirens Callistemon citrinus Callistemon viminalis Calluna vulgaris Camellia sasangua Camellia japonica Cassia artemisioides Ceanothus spp.

Cephalotaxus drupacae Cerastium tomentosum Chamaecyparis obtusa spp.

- **1** 21 and

nana-dwarf hinoki cypress
torulosa cypress
filifera-thread cypress
areca palm
summersweet
Japanese cleyera
sibirica-siberian dogwood
baileyi red osier dogwood
flaviramea-yellowtwig dogwood
royal purple smoke tree
coral beauty smoke tree
eichholz smoke tree
praecox-early cotoneaster

cranberry cotoneaster Pyrenees cotoneaster bearberry cotoneaster Himalayan cotoneaster rock cotoneaster zabel cotoneaster

sago palm

hollandia-warminster broom

lena-Scotch broom fragrant daphne deutzia

hopseed bush fruitland silver berry purple bell heather

Mediterranean pink heather cornish heather

winged euonymus canadale gold euonymus emerald 'n gold euonymus

sunspot euonymus wintercreeper euonymus silver king-euonymus

variegated evergreen euonymus

spreading euonymus pineapple guava

forsythia

august beauty gardenia

gardenia

radican gardenia salal/lemon leaf carolina jessamine woadwaxen

ross estey-hibiscus rose of sharon-heart rose of sharon-red bird rose of sharon-woodbridge

holly

mystery gardenia

henry garnet holly leaf sweetspire

ixora
juniper
mountain laurel
crepe myrtle

Chamaecyparis pisifera
Chrysalidocarpus lutescens
Clethra alnifolia
Cleyera japonica
Cornus alba

Cotinus coggygria Cotinus dammeri

Cornus stolonifera

Cotoneaster adpressus Cotoneaster apiculatus Cotoneaster congestus Cotoneaster dammeri Cotoneaster himalayan Cotoneaster horizontalis Cotoneaster zabelii Cycas revoluta Cytisus praecox Cytisus scoparius Daphne odora Deutzia spp. Dodonea viscosa Elaeagnus pungens Erica cinerea Erica x darleyensa Erica vagans Euonymus alatus Euonymus fortunei

Euonymus japonica

Euonymous kiautschovica Feijoa sellowiana Forsythia spp. Gardenia jasminoides

Gaultheria shallon Gelsemium sempervirens Genista pilosa Hibiscus rosa-sinensis Hibiscus syriacus

Ilex spp.
Illicium annisatum
Itea ilicifolia
Ixora collinea
Juniperus spp.
Kalmia latifolia
Lagerstroemia indica

200f25

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lantana coast leucothoe drooping leucothoe privet

Chinese fountain palm flowering woodbine serotina woodbine trumpet honeysuckle leather leaf mahonia creeping mahonia

compacta-dwarf heavenly bamboo harbour dwarf-heavenly bamboo

heavenly bamboo

nana compacta-heavenly bamboo nana purpurea-heavenly bamboo woods dwarf heavenly bamboo

hardy red oleander

oleander

wax myrtle

ruby lace oleander fortunes osmanthus mockorange

pigmy date palm fraser's photinia Japanese andromeda mountain fire lily-of-the-valley snowdrift lily-of-the-valley templebells lily-of-the-valley

valley rose lily-of-the-valley valley valentine lily-of-the-valley forest flame lily-of-the-valley mugo-mugho pine

green pittosporum Japanese pittosporum wheeler's dwarf pittosporum

blue cape plumbago

plumbago yewpine tassel fern cinquefoil

carolina laurel cherry dwarf pink flowering almond

pyracantha

charisma-monruce rhaphiolepis enchantress-moness rhaphiolepis

India hawthorn

springtime-monme rhaphiolepis

roundleaf rhaphiolepis azalea/rhododendron

Africa sumac ramanas rose rosemary

Japanese skimmia reeve's skimmia anthony waterer spiraea

dolchia spiraea

Lantana spp.
Leucothoe axillaris
Leucothoe fontainesiana
Ligustrum spp.
Livistona chinensis

Lonicera periclymenum

Lonicera sempervirens Mahonia bealei Mahonia repens Myrica cerifera Nandina domestica

Nerium oleander

Osmanthus fortunei Philadelphus spp. Phoenix roeloelenii Photinia fraseri Pieris japonica

Pieris japonica x forestii Pinus mugo Pittosporum tobira

Plumbago ariculata
Plumbago capensis
Podocarpus macrophyllus
Polystichum polyblepharum
Potentilla spp.
Prunus caroliniana
Prunus gladulosa
Pyracantha spp.
Rhaphiolepis indica

Rhaphiolepis ovata Rhododendron spp. Rhus lancea Rosa rugosa Rosmarinus officinalis Skimmia japonica Skimmia revesiana Spiraea bumalda Spiraea japonica

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Spiraea vanhouttii

Syringa vulgaris

Syringa rothomagensis

Japanese alpine spiraea

shirobana spiraea bridal wreath Chinese lilac common lilac

upright Japanese yew

cape honeysuckle

Taxus cuspidata anglojap yew Taxus media Tecomaria capensis Ternstroemia gymnanthera American arborvitae Thuja occidentalis

emerald arborvitae globosa-globe arborvitae little giant-dwart arborvitae nigra-dark American arborvitae pyramidalis-pyramid arborvitae

rheingold arborvitae techny arborvitae

aureus nana-dwarf golden arborvitae

minima glauca-dwarf arborvitae

Christmas palm viburnum weigela xylosma yucca

Thuja orientalis

Veitchia merrilli Viburnum spp. Weigela spp. Xylosma congestum Yucca filamentosa

# Groundcovers

wooly yarrow lily-of-the-nile carpet bugle beechgrass

cape weed thrift

asparagus fern bellflower

variegated carex largeleaf iceplant

dwarf plumbago

rockrose coreopsis crown vetch pampas grass cotoneaster white iceplant descampsia

trailing rosea iceplant

iceplant blue fescue strawberry, beach

gazania

golden hakonechloa

Algerian ivy English ivy daylilly rupturewort

albo-marginata hosta

aaronsbeard

Achillea tomentosa Agapanthus spp.

Ajuga spp.

Ammophila breviligulata Arctotheca calendula Armeria maritima Asparagus densiflorus Campanula spp.

Carex spp.

Cistus spp.

Carpobrotus edulis

Ceratostigma plumbaginoides

Coreopsis spp. Coronilla vana Cortaderia selloana Cotoneaster spp. Delosperma alba Descampsia caespitosa Drosanthemum floribundum Drosantheumum hispidum Festuca ovina glauca Fragaria chiloensis

Gazania spp.

Hakonechioa macroaureola

Hedera canariensis Hedera helix Hemerocallis spp. Herniaria glabra Hosta lancifoila Hypericum spp.

St. Johnswort angelwing jasmine trailing iceplant white lily turf big blue lily turf lilac beauty lily turf magestic lily turf silvery sunproof lily turf variegated liriope lily turf green/creeping lily turf

eulalia grass creeping wirevine myoporum dwarf mondo grass

mondo grass trailing African daisy

Japanese spurge fountain grass ribbon grass stonecrop (sedum) germander Asian jasmine

verbena speedwell periwinkle Jasminum nitidum Lampranthus spectabilis Liriope gigantea Liriope muscari

Liriope spicata Miscanthus sinensis Muehlenbeckia axillaris Myoporum laetum Ophiopogon japonicus

Osteospermum fruticosum Pachysandra terminalis Pennisetum alopecuroides Phalaris arundinacea picta Sedum spp.

Teucrium chamaedrys Trachelospermum asiaticum

Verbena spp. Veronica spp. Vinca spp.

#### Established Flowers

varrow floss flower alyssum snapdragon African daisy silver mound dusty miller aster (perennial) begonia

calendula cornflower velvet centaurea sweet sultan chrysanthemum morningglory coreopsis cosmos dahlia dianthus bleeding heart foxglove

common foxglove marigold, cape purple coneflower California poppy snow-on-the-mountain

geranium geum gaillardia

Achillea spp.

Ageratum houstonianum

Alyssum spp. Antirrhinum majus Arctotis spp. Artemisia schmidtiana Artemisia stellerana

Aster spp. Begonia spp.

Calendula officianalis Centaurea cyanus Centaurea gymnocarpa Centaurea moschata Chrysanthemum spp. Convolvulus spp. Coreopsis spp. Cosmos spp. Dahlia spp. Dianthus spp. Dicentra eximia Digitalis mertonensis Digitalis purpurea Dimorphotheca spp. Echinacea purpurea Eschscholzia californica Euphorbia marginata

Geranium spp. Geum spp. Gaillardia spp.

gladiolus guara baby's breath

sunflower coral bells aaron's beard

balsam impatiens iris

ixora sweet pea English lavander shasta daisy

gayfeather statice lobelia

sweet alyssum

lupine
stock
four o'clock
bee balm
forget-me-not
nicotiana
ozark sundrop

ozark sundrop poppy, California

petunia beard tongue Russian sage

phlox

portulaca rose

blackeyed susan golden glow

salvia

pincushion flower stonecrop lamb's ears stoke's aster marigold

painted daisy nasturtium speedwell

vinca zinnia Gladiolus spp. Guara lindheiveri Gypsophila paniculata

Helianthus spp.
Heuchera spp.
Hypericum calycinum
Impatiens balsamina
Impatiens spp.

*Iris* spp. *Ixora* spp.

Liatris spicata

Lathyrus odoratus Lavandula angustifolia Leucanthemum superbum

Limonium spp.
Lobelia spp.
Lobularia maritima
Lupinus spp.
Matthiola spp.
Mirabilis jalapa
Monarda didyma
Myosotis spp.
Nicotiana spp.

Oenothera missouriensis

Papaver spp.
Petunia hybrida
Penstemon barbatus
Perovskia atriplicifolia

Phlox spp.

Portulaca grandiflora

Rosa spp. Rudbeckia hirta Rudbeckia laciniata

Salvia spp. Scabiosa spp. Sedum spectible Stachys spp. Stokesia laevis Tagetes spp.

Tanacetum cocineum Tropaeolum spp. Veronica spicatum

Vinca spp. Zinnea spp.

# **Ornamental Bulbs**

Treflan 5G may be applied for control of susceptible annual weeds in ornamental bulbs, e.g., bulbous iris, daffodil (narcissus), hyacinth and tulip. Apply Treflan 5G to the soil surface 2 to 4 weeks after planting, but prior to the emergence of annual weeds. Treflan 5G may also be applied following bulb emergence. For fall planted bulbs, apply Treflan 5G again in late winter or early spring to weed-free soil surfaces.

# Non-Bearing Fruit and Nut Trees and Non-Bearing Vineyards

Non-bearing fruit and nut trees and non-bearing vineyards are defined as plants that will not bear fruit for at least one year after treatment.

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almond orange fig filbert apple peach apricot gooseberry pear grape, American avocado pecan blackberry grape, European pistachio plum blueberry grapefruit boysenberry kiwi pomegranate cherry, sour lemon prune cherry, sweet loganberry raspberry currant macadamia nut walnut, black

dewberry nectarine elderberry olive

# **Christmas Tree Plantations**

Apply Treflan 5G to established plantings of field grown Christmas tree species listed on this label. Do not apply to seedbeds or seedling transplant beds. Apply only to established plantings. Established plants are defined as those that have been transplanted into their final growing location for a sufficient period of time to allow the soil to be firmly settled around the roots from packing and rainfall or irrigation. Follow all instructions provided in the General Information section of this label.

walnut, English

# **Non-Cropland Areas**

Treflan 5G is recommended as a preemergence herbicide for control of certain annual grasses and broadleaf weeds on industrial sites, utility substations, highway guard rails, sign posts and delineators.

Apply Treflan 5G anytime prior to germination of target weeds. Areas to be treated should be free of established weeds or existing weeds should be controlled with postemergence herbicides.

Refer to the General Informatio" section prior to using this product on non-cropland.

# **Under Paved Surfaces**

# Site Preparation

Treflan 5G should be used only where the soil to be treated has been prepared according to good construction practices. If rhizomes, stolons, tubers or other vegetative plant parts are present in the site, they should be removed by scalping with grader blade to a depth sufficient to ensure their complete removal.

#### **Application**

Application may be made after the final road bed is established or after the base rock has been added. Do not move soil after application of Treflan 5G and do not apply Treflan 5G to soil where asphalt may be applied directly on top of the treated soil.

Paving should follow applications of Treflan 5G as soon as possible.

Apply Treflan 5G to ensure thorough coverage of the base rock layer. Apply with any granular applicator that will apply uniformly.

Apply the following amount of Treflan 5G:

Amount of Treflan 5G		
Per Acre (lb)	Per 1000 sq ft (lb)	
240 - 320	5.5 - 7.3	





# **Terms and Conditions of Use**

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

# **Warranty Disclaimer**

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

# **Inherent Risks of Use**

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

# **Limitation of Remedies**

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Seller's election, one of the following:

- 1. Refund of purchase price paid by buyer or user for product bought, or
- 2. Replacement of amount of product used.

Seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. In no case shall Seller be liable for consequential or incidental damages or losses.

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