



# Exhibit D

 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p> <p style="text-align: center;">NOTICE OF PESTICIDE: <input checked="" type="checkbox"/> Registration <input type="checkbox"/> Reregistration (under FIFRA, as amended)</p>	<p><b>EPA Reg. Number:</b></p> <p>264-1210</p>	<p><b>Date of Issuance:</b></p> <p>10/27/20</p>
	<p><b>Term of Issuance:</b></p> <p>Unconditional</p>	
	<p><b>Name of Pesticide Product:</b></p> <p>XtendiMax with VaporGrip Technology</p>	
<p><b>Name and Address of Registrant (include ZIP Code):</b></p> <p>Bayer CropScience LP 801 Pennsylvania Avenue, NW Washington, DC 20004</p>		
<p><b>Note:</b> Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p>		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>If the terms outlined below are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.</p> <p>Please also note that the record for this product currently contains the following CSFs:</p> <ul style="list-style-type: none"> <li>• Basic CSF dated 7/10/2020</li> <li>• Alternate CSF 1 dated 7/10/2020</li> <li>• Alternate CSF 2 dated 7/10/2020</li> </ul>		
<p><b>Signature of Approving Official:</b></p>  <p>Daniel Kenny, Chief Herbicide Branch, Registration Division (7505P)</p>	<p><b>Date:</b></p> <p>10/27/20</p>	

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Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

This product is unconditionally registered in accordance with FIFRA section 3(c)(5) provided that you comply with the terms listed below. This registration will automatically expire on December 20, 2020.

### **General Terms**

1. Submit and/or cite all data required for registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. Submit one copy of the revised final printed label for the record before you release the product for shipment.
3. Make the following label changes before you release the product for shipment:
  - Revise the EPA Registration Number to read, "EPA Reg. No. 264-1210."

### **Herbicide Resistance Management Plan**

4. You must maintain, update and follow an Herbicide Resistance Management Plan (HRM) as described in Appendix D regarding field detection and remediation, education, evaluation, reporting, and best management practices (BMPs).

### **Tank Mixing, Spray Drift, and Volatility-Reduction Adjuvant Requirements**

5. You must maintain a website at <http://XtendiMaxapplicationrequirements.com>. That website will include a list of products that have been tested pursuant to Appendix A and found, based upon such testing, not to adversely affect the spray drift properties of XtendiMax with VaporGrip Technology. The website will identify a testing protocol, consistent with Appendix A, that is appropriate for determining whether the tested product will adversely affect the drift properties of XtendiMax with VaporGrip Technology. The website must state that any person seeking to have a product added to the list of approved tank mix partners must perform a study either pursuant to the testing protocol identified on the website or another protocol that has been approved for the particular purpose by EPA, and must submit the test data and results, along with a certification that the studies were performed either pursuant to the testing protocols identified on the website or pursuant to another protocol(s) approved by EPA and that the results of the testing support adding the product to the list of products tested and found not to adversely affect the spray drift properties of XtendiMax with VaporGrip Technology, to Bayer. Bayer will determine whether the testing and results conform to the conditions prescribed in this protocol and, depending on the test conditions and

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- results, will either post the product on the website at <http://XtendiMaxapplicationrequirements.com> or notify the third-party entity that the product did not meet the requirements for posting. Once notified by a third party, you will add appropriately certified products to the list no more than 90 days after you receive such notice. Testing of tank-mix products must be conducted in compliance with procedures as stated forth in Appendix A.
6. All test data relating to the impact of tank-mixing any product with XtendiMax with VaporGrip Technology on drift properties of XtendiMax with VaporGrip Technology generated by you or somebody working for you or submitted to Bayer by a third party, along with a certification indicating whether the study was performed either pursuant to the testing protocols identified on the website or pursuant to other protocols approved by EPA and whether the results of the testing support adding the product to the list of products tested and found not to adversely affect the spray drift properties of XtendiMax with VaporGrip Technology, must be retained by Bayer. Any and all such records must be submitted to the EPA's Office of Pesticide Programs upon request.
  7. The prohibition of using products in a tank-mix with XtendiMax with VaporGrip Technology unless the product used is contained on the list <http://XtendiMaxapplicationrequirements.com>, and the identification of the website address, shall be included in educational and information materials developed for Bayer, including the materials identified in Appendix D, Section B.
  8. Testing of any volatility-reduction adjuvant must be conducted in compliance with procedures as set forth in Appendices A and E. Any potential volatility-reduction adjuvant must demonstrate passing results for both wind tunnel testing as set forth in Appendix A and humidome testing set forth in Appendix E.
  9. Bayer must maintain a Volatility-Reduction Adjuvant tab (may also be called Volatility Reduction Agent, Buffering Adjuvant, or Buffering Agent) on the website at <http://XtendiMaxapplicationrequirements.com>. The website must identify testing protocols, consistent with Appendices A and E. Products that have been tested pursuant to such testing protocols by Bayer and found, based upon such testing, to meet the passing requirements according to Appendices A and E may be added to the list of approved volatility-reduction adjuvant products on the website tab described above. Bayer must retain copies of all data and analysis from test performed by, or provided to, Bayer based on the Appendices A and E protocols. Upon the Agency's request, copies of such test data and analysis must be submitted to EPA's Office of Pesticide Programs, along with certification indicating whether the study was performed either pursuant to the testing protocols identified on the website or pursuant to other protocols approved by EPA and whether the results of the testing support adding the product(s) to the list of products tested and found to meet the passing requirements of the testing standards in Appendices A and E.
  10. If a third party requests the addition of a volatility-reduction adjuvant, at the discretion of Bayer, the registrant will perform wind tunnel and humidome studies pursuant to the testing protocols in Appendices A and E or request the third-party to perform such studies. Should registrant decline to perform testing, the third-party entity or a testing facility on their behalf must perform a study pursuant to the testing protocol identified on the website and must submit to Bayer the test data and results, along with certification that the studies were performed pursuant to the testing protocols identified on the website and that the results of the testing support adding the product to the list of approved volatility-reduction adjuvants for XtendiMax with VaporGrip Technology. Bayer will determine whether the testing and results conform to the conditions prescribed in the protocols and, depending on the test conditions and results, will either post the product on the website at <http://XtendiMaxapplicationrequirements.com> or notify the third-party entity that the product did not

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meet the requirements for posting. Once notified by a third-party, you will add appropriately certified products to the list no more than 90 days after you receive such notice. Bayer will retain records related to this third-party testing and will supply these records to EPA upon their request.

11. The requirement that an approved volatility-reduction adjuvant must always be tank-mixed with XtendiMax with VaporGrip Technology, and the identification of the website address for <http://XtendiMaxapplicationrequirements.com> containing the list of approved volatility-reduction adjuvants shall be included in educational and information materials developed by or for Bayer, including materials identified in Appendix D, Section B.
12. So long as the XtendiMax registration continues to require use of a volatility-reduction adjuvant with every application, Bayer will:
  - a. Take appropriate action(s) to ensure that a sufficient supply of VaporGrip Xtra or any other qualified volatility-reduction adjuvant is in the channels of trade for all XtendiMax applications each year, including quantities of XtendiMax contained in products produced by other registrants. To ensure the supply of qualified volatility-reduction adjuvant is sufficient throughout each season, Bayer will:
    - i. Project and monitor distribution of XtendiMax
    - ii. Monitor available VaporGrip Xtra/ volatility-reduction adjuvant in relevant channels of trade
    - iii. Make available additional supplies if needed to ensure sufficient quantities of VaporGrip Xtra/ volatility-reduction adjuvant are available to allow lawful application of the full quantity of XtendiMax that is available in the channels of trade; and
    - iv. Maintain capacity to produce additional VaporGrip Xtra/ volatility-reduction adjuvants (or to cause more VaporGrip Xtra/ volatility-reduction adjuvants to be produced) whenever any further need is anticipated.
  - b. Make arrangements through appropriate distribution networks to ensure that VaporGrip Xtra or other appropriate volatility-reduction adjuvants are timely available to applicators in all locations where XtendiMax will be applied, before any applicator would apply XtendiMax. Access to VaporGrip Xtra will either be through the same retail outlets as XtendiMax, or if necessary, in particular locations, available from other readily accessible sources. Registrant will timely make available to every applicator information on where VaporGrip Xtra can be ordered or purchased.
  - c. Ensure that all training materials clearly require the mandatory use of VaporGrip Xtra or another volatility-reduction adjuvant with every XtendiMax application. Work with State authorities to ensure that appropriate training occurs before any application of XtendiMax is made.
  - d. Registrant Recordkeeping: Bayer will keep records appropriate to document its compliance with its volatility-reduction adjuvant quantity commitments. Bayer will make records available to EPA upon request.

### **Enhanced Reporting**

Bayer must submit the information identified below to EPA's Office of Pesticide Programs under section 6(a)(2), or under 40 CFR 159.195, unless you have previously submitted that information to EPA's Office of Pesticide Programs. To the extent that this reporting requirement conflicts with or is more narrow than any reporting requirements of section 6(a)(2), 40 CFR part 159, or EPA's letter of March 27, 2020 pursuant to 40 CFR 159.195(c), the broader reporting requirement applies.

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13. Information received by telephone or in writing regarding potential damage to non-target vegetation from use of dicamba during the 2021-2025 growing seasons regardless of any determination that the incident resulted from misuse (intentional or accidental). Information must be forwarded to EPA regardless of which dicamba product may have been used and/or whether or not the alleged damage resulted from a product being used according to label directions. Data must be organized by product and state to the extent practicable, and must include all available information regarding acreage involved, plant species involved, severity of damage, date and location (coordinates) of incident, known dicamba applications in vicinity of incident, location of application (coordinates), distance from application to incident, temperature and humidity data at time of application, and similar information received. Incident data must be submitted in narrative form and in a spreadsheet format. This information must be submitted with cumulative totals and be submitted annually by January 15 (beginning by January 15, 2022) and final report with all then available information due September 30, 2025.
14. Information received by telephone or in writing regarding reports of dicamba-resistant weeds, and cases of weed control failure and/or suspected resistance. All information must be forwarded to EPA regardless of which dicamba product may have been used and/or whether or not the alleged resistance occurred after an application made according to label directions. This information must be submitted annually by January 15 (beginning January 15, 2022) and final report with all then available information due September 30, 2025.
15. Any information received by Bayer or finding in an analysis conducted by Bayer that foods/commodities contain dicamba residues that are not covered by a tolerance or exceed established tolerance levels. This information must be submitted annually by January 15 (beginning January 15, 2022) and final report with all then available information due September 30, 2025.

#### **Hooded Sprayer Qualification Requirement**

16. Testing of hooded sprayers must be conducted in compliance with procedures as set forth in Appendix F.
17. If XtendiMax with VaporGrip Technology label provides for a reduced buffer when a qualified hooded sprayer is used, Bayer must maintain a hooded sprayer tab on the website at <http://XtendiMaxapplicationrequirements.com> identifying the qualified hooded sprayers. The website must identify a testing protocol, consistent with Appendix F, that is appropriate for determining whether spray drift of dicamba from the proposed hooded sprayer is equivalent to or less than (*i.e.*, not statistically greater than) that from the established baseline hooded sprayer in Appendix F. Hooded sprayers that have been tested pursuant to Appendix F by Bayer and found, based upon such testing, to reduce the spray drift of dicamba to a level that is equivalent to or less than that from the established baseline hooded sprayer identified in Appendix F may be added to the list of qualified hooded sprayers on the website tab described above. Bayer must retain copies of all data and analysis from tests performed by, or provided to, Bayer based on the Appendix F protocol. Upon the Agency's request, copies of such test data and analysis must be submitted to EPA's Office of Pesticide Programs, along with certification indicating whether the study was performed pursuant to the testing protocols identified on the website and whether the results of the testing support adding the tested hooded sprayer to the list of products tested and found to result in spray drift of dicamba to a level that is equivalent to or less than that from the established baseline hooded sprayer identified in Appendix F.

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18. Additionally, the website must state that any other person or entity seeking to have a hooded sprayer added to Bayer's list of qualified hooded sprayers must contact Bayer prior to any testing for this purpose. At the discretion of Bayer, Bayer will either perform a study pursuant to the testing protocol herein or request the third-party to perform such study. Should Bayer decline to perform testing, the third-party entity or a testing facility on their behalf must perform a study pursuant to the testing protocol identified on the website and must submit to Bayer the test data and results, along with certification that the studies were performed pursuant to the testing protocol identified on the website and that the results of the testing support adding the hooded sprayer to the list of qualified hooded sprayers for dicamba. Bayer will certify that the testing and results conform to the conditions prescribed in this protocol and, pursuant to the test conditions and results, will either post the hooded sprayer on the website at <http://XtendiMaxapplicationrequirements.com> or notify the third-party entity that the hooded sprayer did not meet the requirements for posting. Bayer will retain records related to this third-party testing of hooded sprayers and will supply these records to EPA upon their request.
19. Dicamba application requirements when using qualified hooded sprayers, the listing of qualified hooded sprayers on the <http://XtendiMaxapplicationrequirements.com> website, and the identification of the website address shall be included in educational and information materials developed by or for Bayer, including the materials identified in Appendix D, Section B.



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## Appendix A

### Testing of Tank Mix Products for Spray Drift Properties

Products proposed for tank-mixing with may be added to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology contained on the web site if a study is performed under the testing conditions set forth below; the test information is reported as set forth below; and the results are interpreted as set forth below and the interpretation supports adding the tested product to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology:

#### Testing Conditions

Spray chamber test using conditions described in ASTM E-2798-11; or Wind Tunnel test using conditions described in EPA Final Generic Verification Protocol for Testing Pesticide Application Spray Drift Reduction Technologies for Row and Field Crops (September, 2013)

Testing Media: XtendiMax with VaporGrip Technology + XtendiMax with VaporGrip Technology Proposed Tank Mix Product

Test Nozzle: Tee Jet® TTI 11004 at 63 psi

Number of Replicates: 3 for each tested medium

#### Reporting

Validation information as summarized in Appendix B

Full droplet spectrum to be reported for each replicate of each tested medium

Perform AGDISP (8.26) modeling run for each replicate droplet spectrum for each tested medium (AGDISP input parameters described in Appendix C)

Establish 110 foot (0.5 lb ae/A rate) spray drift deposition estimates from AGDISP run on each replicate for each tested medium

Establish mean and standard deviation of 110 foot (0.5 lb ae/A rate) deposition for the 3 replicates of each tested medium

One-tail (upper bound) t-test ( $p=0.1$ ) to determine if proposed tank-mix product is statistically greater than XtendiMax with VaporGrip Technology 110 foot (0.5 lb ae/A rate) spray drift deposition.

#### Interpretation of Results

If mean 110 foot (0.5 lb ae/A rate) deposition for proposed tank-mix product is not statistically greater than mean 110 foot deposition for XtendiMax with VaporGrip Technology, proposed tank-mix product can be added to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology contained on the web site. If mean 110 foot (0.5 lb ae/A rate) deposition



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for proposed tank-mix product is statistically greater than mean 110 foot (0.5 lb ae/A rate) deposition for XtendiMax with VaporGrip Technology, proposed tank-mix product cannot be added to the list of products on the web site.

Results from other testing protocols will be acceptable for adding products to the list of products that will not adversely affect the spray drift properties of XtendiMax with VaporGrip Technology provided that EPA has determined in writing that such other protocol is appropriate for such purpose.

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**Appendix B**

Validation Criteria

- a. Detailed information of instrument setting and measurements
  - The distance from the nozzle tips to the laser settings
  - Measurements of airspeed and flow rate of liquid
- b. Detailed information of test substances
  - Volume composition and density of XtendiMax with VaporGrip Technology formulation and tank mixes
- c. Summary of the entire spray output distribution for each nozzle/tank mixes with statistical analysis of replicates.
- d. Graphical outputs of Sympatec Helos laser diffraction particle size analyzer for individual spectrum
- e. Report of Dv0.1 (SD), Dv0.5 (SD), and DV0.9 (SD) as well as mean % fines of (< 141µm SD)

**Appendix C**

## AGDISP Input Parameters

Parameter	Value	Comments
Application Method Section		
Method	Ground	
Nozzle Type	Flat fan (Default)	The direct use of the DSD overrides the use of "nozzle type"
Boom Pressure	63 psi	If nozzles/tank mixes were tested at 63 psi. It has to be consistent with tank mix as well as XtendiMax with VaporGrip Technology for both TeeJet® and AIXR nozzles
Release Height	3 ft	Default
Spray Lines	20	Default
Meteorology Section		
Wind Type	Single height	Default
Wind Speed	15 mph	Upper bound from label
Wind Direction	-90 deg	Worst-case and default
Temperature	65 F	Default
Relative Humidity	50%	Default
Surface Section		
Angles	0	Default
Canopy	None	Default
Surface Roughness	0.12 ft	Mean of "crops" cover type
Application Technique Section		
Nozzles	54, even spacing	Standard boom setup
DSD	From wind tunnel results, imported in library	
Atmospheric stability	Strong	Default
Swath Section		
Swath width	90 ft	Standard boom
Swath displacement	0 ft	Worst-case
Spray Material Section		
Spray volume rate	15 gal/A	From label
Volatile/nonvolatile fraction	M 1768 at 1.72% v/v	To calculate volatile/nonvolatile fraction in the tank mix for the model input, provide detailed information of the tested formulations and tank mixes. See sample calculation, below <sup>1</sup>
<sup>1</sup> The tested mixture was 1.72% (v/v) XtendiMax. XtendiMax has a density of 10.2 lb/gal and contains 42.8% (w/v) dicamba DGA salt (2.9 lb acid equivalent/gal). For example, a 10-gallon batch would contain the following: XtendiMax 1.71% * 10 gal = 0.172 gal ; 0.172 gal * 10.2 lb/gal = 1.753 lb Water 10 gal (1280 fl oz) – 22 fl oz = 1258 fl oz = 82.0157 lb Total weight 1.753 lb + 82.016 lb = 83.769 lb Active ingredient fraction: 1.753 lb * 42.8% a.i. = 0.75 lb; 0.75 lb/83.769 lb = 0.00896 (dimensionless) Non-volatile fraction: 0.00896/0.428 = 0.021 (dimensionless)		

## Appendix D

### HERBICIDE RESISTANCE MANAGEMENT PLAN

**Bayer must develop a herbicide resistance management plan that includes all of the following elements:**

#### **A. Field Detection and Remediation Components:**

1. Update and implement an education program for growers, as set forth under the “Educational / Informational Component,” below, that identifies appropriate best management practices (BMPs), as set forth under the “Best Management Practices (BMPs) Component,” below, to delay, contain, and/or control weed resistance. This plan must convey to growers the importance of complying with BMPs and addressing resistance concerns.
2. If any grower or user informs you of a lack of herbicide efficacy, then you or your representative must (unless denied access by the grower) evaluate the field for “likely resistance” to XtendiMax with VaporGrip Technology for each specific species for which lack of herbicide efficacy is reported by applying the criteria set forth in Norsworthy, *et al.*, “Reducing the Risks of Herbicide Resistance: Best Management Practices and Recommendations,” *Weed Science* 2012 Special Issue: 31–62 (*hereinafter* “Norsworthy criteria”)<sup>1</sup> in each specific state. If denied access, Bayer must document this denial of access.
3. If Bayer receives information of confirmed resistance to dicamba in a specific state for a specific weed species, then Bayer must immediately report such confirmation to EPA and applicable state pesticide authority and extension services (e.g., state in which resistance is found). After that time, Bayer need no longer investigate new reports of lack of herbicide efficacy regarding that specific species in that specific state, but Bayer must continue to comply with A.2. above in regard to any other weed species in any such state and develop, submit to EPA, and implement a strategy to address the ongoing resistance. In addition, for each grower or user in any jurisdiction who reports a lack of efficacy, Bayer must continue to make available stewardship information about resistance management to the grower or user throughout their use of this product, regardless of whether resistance is confirmed.
4. Bayer must keep records of all field evaluations and all grower or user reports of lack efficacy or “likely resistance” for a period of 3 years and make such copies available to EPA upon request.
5. In any case described in A.2. above where one or more of the Norsworthy criteria are met for a weed species not already confirmed to be resistant to dicamba in that specific state, Bayer must:

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<sup>1</sup> The Norsworthy “likely herbicide resistance” criteria are: (1) failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds; or (2) a spreading patch of uncontrolled plants of a particular weed species; or (3) surviving plants mixed with controlled individuals of the same species. The identification of any of these criteria in the field indicates that “likely herbicide resistance” is present.

Provide the grower with specific information and recommendations to control and contain likely resistant weeds, including retreatment and/or other non-chemical controls, as appropriate. If requested by grower, Bayer or its agent must continue to provide information and recommendations in the implementation of weed control measures. At the time of the initial determination that one or more of the Norsworthy criteria are met, and prior to any application of alternative control practices, Bayer must request that the grower provide Bayer access to the relevant field(s) to collect sufficient specimens of the likely resistant weeds (potted specimens or seeds) to be able to effectively evaluate the suspected resistant weeds for resistance for further evaluation in the greenhouse or laboratory. Alternately, Bayer may request that the grower or user provide such specimens, at Bayer's expense. If access is granted, Bayer must promptly collect samples of the suspected resistant weeds if available. If viable specimens have been collected, Bayer must commence greenhouse or laboratory studies to confirm whether resistance is present as soon as practicable following sample collection.

#### **B. Educational / Informational Component:**

1. Bayer must develop, annually update, provide to EPA and make available to state pesticide authority and extension service, and implement an education program for growers and users that includes the following elements:
  - a. The education program shall identify appropriate best management practices (BMPs), set forth under the "Best Management Practices (BMPs) Component," below, to delay, contain, and/or control weed resistance, and shall convey to growers the importance of complying with BMPs;
  - b. The education program shall include at least one written communication regarding herbicide resistance management each year, directed to users of XtendiMax with VaporGrip Technology for use over-the-top on dicamba tolerant soybean or cotton; and
  - c. Bayer must transmit the BMPs to all users of XtendiMax with VaporGrip Technology. In addition to the other requirements of these Terms and Conditions, this transmittal must describe to growers and users the commitments as described in section A.5 about investigations of suspected dicamba-resistant weeds.
  - d. All Bayer herbicide sales representatives must have immediate access to the education program for distribution to growers, users, extension agents, neighboring landowners, and any other interested stakeholder.
2. Bayer must develop, annually update, provide to EPA, and implement an education program on label requirements for growers and users that includes the following elements:
  - a. The education program must include information about how to determine the appropriate buffers so that users have a better understanding what constitutes a buffer on his/her field(s), and recommendations for weed control practices in buffer zones. The education program must also include information on determination of sensitive areas and cutoff date restrictions.

- b. Provide training on the use of broadcast hooded sprayers (e.g., what qualifies as hooded sprayer, appropriate uses, manufactures).
- c. Training for sprayer cleanouts (before and after spraying as indicated on labels).
- d. Training for Bulletins Live 2!.
- e. Training on updated record keeping requirements.
- f. Training should be modified to clearly prohibit the use of the dicamba products not intended for use on DT crops for all application timings.
- g. Training on the use of newly required pH buffering adjuvants (volatility-reduction adjuvants) and/or drift reduction adjuvants.
- h. Training on how users/growers can report incidents and control failures to EPA and states.
- i. Provide to EPA the original education program for dicamba users within three months of the issuance of this registration. Provide the educational materials to states that provide their own training. Provide any other stakeholder with educational materials upon request.

### **C. Evaluation Component:**

1. Bayer will annually conduct a survey directed to users of XtendiMax with VaporGrip Technology for use over-the-top of dicamba tolerant soybean or cotton. This survey must be based on a statistically representative sample. The sample size and geographical resolution should be adequate to allow analysis of responses within regions, between regions, and across the United States. Bayer must submit the draft survey to EPA as well as the survey results. This survey shall evaluate, at a minimum, the following:
  - a. Growers' and users' adherence to the terms of the XtendiMax with VaporGrip Technology Use Directions and Label Restrictions, if XtendiMax with VaporGrip Technology is used, and
  - b. Whether growers have encountered any perceived issue with non-performance or lack of efficacy of XtendiMax with VaporGrip Technology and, if so, how growers have responded.
  - c. Whether growers have reported any issues with non-performance or lack of efficacy of XtendiMax with VaporGrip Technology and how the company representatives have responded.
  - d. A question asking about awareness of public records of resistance (e.g., any awareness of popular press or industry publications on dicamba resistance or suspected resistant biotypes).
  - e. A question directed to asking about awareness of personal/neighbor reports of resistance.
  - f. Application practices for dicamba product applied (rate, time, amount, etc.) to the fields planted with dicamba-resistant seed.
2. Utilize the results from the survey described in paragraph 1 of this section to annually review, and modify as appropriate for the upcoming growing season, the following elements of Bayer's resistance management plan:
  - a. Efforts aimed at achieving adoption of BMP's;
  - b. Responses to incidents of likely resistance and confirmed resistance; and
  - c. The education program and effectiveness of information dissemination. At

the initiative of either EPA or Bayer, EPA and Bayer shall consult about possible modifications of the education program.

3. Bayer must annually report to EPA any changes to its resistance management plan made in response to survey results as provided in section D.1. below.

#### **D. Reporting Component:**

1. Submit annual reports to EPA by January 15 (beginning January 15, 2022) and final report with all then available information due September 30, 2025. Such reports shall include:
  - a. Annual sales of XtendiMax with VaporGrip Technology by state and, if applicable, annual sales of (traited seed) by state, which shall be treated by EPA as confidential business information;
  - b. The first annual report shall include the current education program and associated materials, and subsequent annual reports shall include updates of any aspect of the education program and associated materials that have materially changed since submission of the previous annual report, along with results of the survey as described in section C of this document;
  - c. Summary of your efforts aimed at achieving implementation of BMP's by all growers and users;
  - d. Summary of your determinations as to whether each reported lack of herbicide efficacy was "likely resistance," your follow-up actions taken, and, if available, the ultimate outcome (e.g., evaluation of success of additional weed control measures) regarding each case of "likely resistance." In the annual report, Bayer must list the cases of likely resistance by county and state.
  - e. The results of the annual survey described in paragraph 1 under "Evaluation Component," above, including the extent to which growers are implementing herbicide resistance BMPs, and a summary of your annual review and possible modification – based on that survey – of the education program, , and response to reports of likely resistance, described in paragraph 2 under "Evaluation Component," above; and
  - f. Summary of the status of any laboratory and greenhouse testing conducted pursuant to section A.5 following up on incidents of likely resistance, performed in the previous year. Data pertaining to such testing must be included in the annual reports. Any confirmed resistance must be reported through appropriate, publicly available HRM channels, such as [www.weedscience.org](http://www.weedscience.org) or [www.hracglobal.com](http://www.hracglobal.com).
  - g. Report how many training sessions Bayer conducted, identifying the dates, locations, and numbers of individuals trained per session. If Bayer supported or partnered with other entities to provide training, report the names of the entities and the number of training sessions conducted by each, identifying the dates, locations, and numbers of individuals trained per session.



Following your submission of the annual report, you shall meet with the EPA at EPA's request in order to evaluate and consider the information contained in the report.

**E. Best Management Practices (BMPs) Component:**

1. Best management practices (BMPs) must be identified in your education program. Growers and users must be advised of BMP's in product literature, educational materials and training. Bayer's transmittal of the BMPs must also describe to growers the commitments in this section of this document. Such BMPs must direct growers and users to scout fields before application to ensure proper weed identification and after application to confirm herbicide effectiveness, and that growers and users should report any incidence of lack of efficacy of this product against a particular weed species to Bayer or a Bayer representative.
2. The following are the additional elements and information that must be included in these BMPs:
  - a. Regarding crop selection and cultural practices:
    - i. Understand the biology of the weeds present.
    - ii. Use a diversified approach toward weed management focused on preventing weed seed production and reducing the number of weed seeds in the soil seed-bank.
    - iii. Emphasize cultural practices that suppress weeds by using crop competitiveness.
    - iv. Plant into weed free fields, keep fields as weed free as possible, and note areas where weeds were a problem in prior seasons.
    - v. Incorporate additional weed control practices whenever possible, such as mechanical cultivation, biological management practices, crop rotation, and weed-free crop seeds, as part of an integrated weed control program.
    - vi. Do not allow weed escapes to produce seeds, roots or tubers.
    - vii. Manage weed seed at harvest and post-harvest to prevent a buildup of the weed seed-bank.
    - viii. Prevent field-to-field and within-field movement of weed seed or vegetative propagules.
    - ix. Thoroughly clean plant residues from equipment before leaving fields.
    - x. Prevent an influx of weeds into the field by managing field borders.
    - xi. Fields must be scouted before application to ensure that herbicides and application rates will be appropriate for the weed species and weed sizes present.
    - xii. Fields must be scouted after application to confirm herbicide effectiveness and to detect weed escapes.
    - xiii. If resistance is suspected, treat weed escapes with an alternate mode of action or use non-chemical methods to remove escapes.
  - b. Regarding herbicide selection:
    - i. Use a broad spectrum soil applied herbicide with a mechanism of action that differs from this product as a

- ii. foundation in a weed control program. A broad spectrum weed control program should consider all of the weeds present in the field. Weeds should be identified through scouting and field history.
- iii. Difficult to control weeds may require sequential applications of herbicides with alternative mechanisms of action.
- iv. Fields with difficult to control weeds should be rotated to crops that allow the use of herbicides with alternative mechanisms of action.
- v. Apply full rates of this herbicide for the most difficult to control weed in the field. Applications should be made when weeds are at the correct size to minimize weed escapes.
- vi. Use of herbicides with differing modes of action is recommended to manage resistance.
- vii. Report any incidence of lack of efficacy of this product against a particular weed species to Bayer or a Bayer representative.

## Appendix E

### Testing of Tank Mix Volatility-Reduction Adjuvants/Buffering Adjuvants Properties

Products proposed as [volatility-reduction adjuvants/buffering adjuvants] may be added to the list of approved products on <http://XtendiMaxapplicationrequirements.com> website if found, based upon such testing, that the Test Mixture results in a humidome airborne dicamba concentration are comparable to or less than the established Testing Standard as defined below.

#### Testing Conditions

Humidome test using conditions based on ASTM STP1587\*, such as those outlined below. Testing is not required to be performed to GLP standards, but are expected to be well documented and validated, with associated record retention for potential future reference.

Testing Standard: [Dicamba Product] + Roundup PowerMAX + VaporGrip Xtra or Sentris (0.5 lb a.e./A + 1.125 lb a.e. glyphosate/A + XXX use rate)

Test Mixture: [Dicamba Product] + Roundup PowerMAX + Buffering Adjuvant  
(0.5 lb a.e. dicamba/A + 1.125 lb a.e. glyphosate/A + XXX use rate)

Water carrier rate: 15 GPA

Normal plastic humidome as specified in ASTM STP1587

Treated substrate: soil/soil blend as specified in ASTM STP1587 with 12-22% moisture

Temperature:  $35 \pm 5^\circ \text{C}$

Relative humidity:  $40 \pm 5\% \text{ RH}$

Sample collection duration: 24 hours

Air sampling rate: 1.5-3.0 L/min

Air sampling filter: any substrate validated to capture >95% of dicamba (e.g., fiberglass mesh + cotton pad, cellulose + PUF, MCE)

Replications: 3 minimum

Analysis: A one-tail (upper-bound) t-test ( $\alpha = 0.10$ ) performed for all test mixtures relative to testing standard.

Passing result: If the Test Mixture mean was not statistically greater than that of the Testing Standard, then the [volatilityreduction adjuvant/buffering adjuvant] in the Test Mixture demonstrated the ability to reduce volatility equivalent to or better than that of [VaporGrip Xtra/Sentris].

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\* Gavlick, W.K., D.R. Wright, A. MacInnes, J.W. Hemminghaus, J.K. Webb, V.I. Yermolenka, W. Su. 2016. A Method to Determine the Relative Volatility of Auxin Herbicide Formulations, Pesticide Formulation and Delivery Systems: 35th Volume, ASTM STP1587. pp. 24-32G. R. Goss, Ed. ASTM International, West Conshohocken, PA.

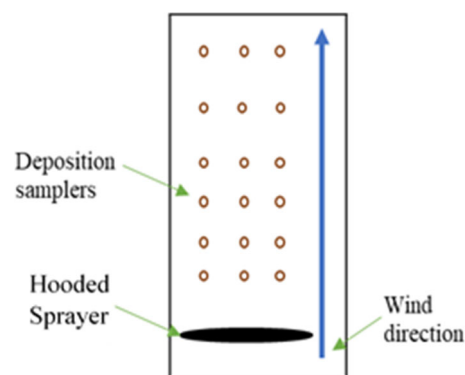
## Appendix F

### Protocol for Testing of Hooded Sprayers to Qualify for Reduced Downwind Spray Buffer Distances when Applying XtendiMax with VaporGrip Technology

Hooded sprayers proposed for in-crop (over-the-top) dicamba applications may be added to the list of qualified hooded sprayers on <http://XtendiMaxapplicationrequirements.com> website if found, based upon such testing, that it reduces the spray drift of dicamba to a level that is equivalent to or less than that from the established baseline hooded sprayer as defined below.

#### Testing Conditions

Testing is to be conducted in an Ambient Breeze Tunnel (ABT) controlled environment wind tunnel using the conditions outlined below, with guidance from US EPA (2016)<sup>1</sup>. A section of a hooded sprayer must be placed in the tunnel with the boom length perpendicular to the wind direction. Absorbent pads must line the floor of the ABT to prevent droplet bounce. Dicamba deposition samples must be collected at pre-determined distances downwind from the sprayer. After a 2-minute clear-out period, samples must be retrieved from the farthest to the closest distances relative to the sprayer for subsequent



residue analysis to quantify dicamba deposition. Testing conditions are established herein with the express purpose of producing and comparing drift deposition curves between a baseline and a proposed hooded sprayer and are therefore not intended to be representative of field conditions.

Testing is not required to be performed to GLP standards but is expected to be well-documented and validated, with associated record retention for potential future reference. Results of testing must include a certification indicating whether the study was performed pursuant to this protocol and any deviations from it, and a conclusion stating whether the product tested meets the Passing Result criterion specified below.

Spray components: Clarity<sup>®</sup> + Induce  
(0.5 lb a.e./A + 0.25% v/v)

Baseline hooded sprayer: RedBall<sup>®</sup> 642E

Hooded sprayer tested: TBD

Boom Configuration: Contain a minimum of 4 nozzles with spacing according to manufacturer's use directions; fixed position; length perpendicular to wind direction; rear curtain of hood 3 inches above a simulated crop and, at the same boom height, above bare ground

<sup>1</sup> United States Environmental Protection Agency. 2016. Generic Verification Protocol for Testing Pesticide Application Spray Drift Reduction Technologies for Row and Field Crops

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Nozzle/pressure:	TT 11003 at 50 psi
Spray rate:	15 GPA
Spray duration:	30 seconds
Wind speed:	Minimum 10 mph
Temperature:	10-35°C
Humidity:	20-80%
Deposition samplers:	Filter paper on blocks 3-in above ground
Number of samplers:	Minimum 3 at each downwind distance
Sampler distances:	Minimum 6 downwind distances for analysis purposes; distances should follow a geometric distribution ( <i>e.g.</i> , 2, 4, 8, 20, 30, 60, and 120 feet) and cover out to 120 feet but may vary based on study considerations.
Drift simulations:	Minimum 3 per hooded sprayer
Analytical analysis:	Conducted per latest version of analytical method ME-1871 or another validated method <sup>2</sup>
Analysis:	Appropriate non-linear and/or generalized linear models will be fit to the drift deposition measurements of each hooded sprayer evaluated. After an appropriate model is selected, deposition estimates will be made at 2, 4, 8, 20, 30, 60, and 120 feet for both the baseline and proposed hooded sprayer. The boom orientation (crop canopy or bare ground) that gives the highest overall deposition for the baseline sprayer will be used for analysis. Deposition for the baseline hooded sprayer must be determined for each day's test in the ABT.
Passing result:	If a comparison of the deposition values for the proposed hooded sprayer to the baseline hooded sprayer at 20 feet, using a one-tailed t-test (assuming equal variances, upper bound, alpha=0.10), is not statistically different, then the proposed hooded sprayer functions equivalent to the baseline hooded sprayer.

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<sup>2</sup> A study conducted with a validated analytical method other than ME-1871 must be accompanied with a report containing the environmental chemistry method, describing in full the analytical method that was used and validated, as well as an independent laboratory validation of the method.

**ACCEPTED**

10/27/2020

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 264-1210

**RESTRICTED USE PESTICIDE**

To be used by certified applicators only; NOT to be used by uncertified persons working under the supervision of a certified applicator, except that uncertified persons may transport containers.

This labeling expires on 12/20/2025. DO NOT use or distribute this product after 12/20/2025.

**DICAMBA GROUP 4 HERBICIDE**

# XtendiMax<sup>®</sup> With VaporGrip<sup>®</sup> Technology

## ABN: M1768 Herbicide

For weed control in cotton with XtendFlex<sup>®</sup> Technology (dicamba-tolerant cotton) and soybean with Roundup Ready 2 Xtend<sup>®</sup> Technology or XtendFlex<sup>®</sup> Technology (dicamba-tolerant soybean).

XtendiMax<sup>®</sup> With VaporGrip<sup>®</sup> Technology is approved by U.S. EPA for use in dicamba-tolerant cotton and dicamba-tolerant soybeans only in the following states, subject to county restrictions as noted: Alabama, Arkansas, Arizona, Colorado, Delaware, Florida (excluding Palm Beach County), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee (excluding Wilson County), Texas, Virginia, West Virginia, Wisconsin.

Check the registration status of each product in each state before using.

**ACTIVE INGREDIENT:** Dicamba

Diglycolamine salt of dicamba (3,6-dichloro-*o*-anisic acid)\* ..... **42.80%**

**OTHER INGREDIENTS:** ..... **57.20%**

**TOTAL:** ..... **100.00%**

\*Contains 29.0% 3,6-dichloro-*o*-anisic acid (2.9 pounds acid equivalent per U.S. gallon or 350 grams per liter)

**EPA Reg. No. 264-RERN**

**EPA Est. No.**

### CAUTION

#### KEEP OUT OF REACH OF CHILDREN

For **MEDICAL** and **TRANSPORTATION** Emergencies **ONLY** Call 24 Hours a Day 1-800-334-7577

For **PRODUCT USE** Information Call 1-866-99BAYER (1-866-992-2937)

For Incidence of Non-performance or Off-Target Movement or for Questions Regarding Buffer Requirements or Sensitive Crop Registries Call 1-844-RRXTEND (1-844-779-8363)

Please refer to [back panel] [booklet] for additional precautionary statements and directions for use. [Note to reviewer: Location of additional precautionary statements and directions for use will vary between those listed, depending on container type/size.]

**Net Contents:**

**FIRST AID**

**IF IN EYES:**

- Hold eye open and rinse slowly and gently with water for 15 to 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.

<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• DO NOT induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• DO NOT give anything by mouth to an unconscious person.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p><b>In case of emergency, call the toll-free Bayer Emergency Response telephone number: 1-800-334-7577.</b>  <b>Have the product container or label with you when calling a poison control center or doctor or when going for treatment.</b></p>	

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION

- Causes moderate eye irritation.
- Avoid contact with eyes or clothing.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

**All mixers, loaders, applicators, and other handlers must wear:**

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

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

#### ENGINEERING CONTROLS

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

**IMPORTANT:** When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "all mixers, loaders, applicators, and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment breakdown.

## USER SAFETY RECOMMENDATIONS

User should:

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

## ENVIRONMENTAL HAZARDS

DO NOT apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high-water mark. DO NOT contaminate water when disposing of equipment washwaters or rinsate. Apply this product only as directed on the label.

**Ground Water Advisory:** This chemical is known to leach through soil into ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

### GROUND AND SURFACE WATER PROTECTION

**Point source contamination:** To prevent point source contamination, DO NOT mix or load this pesticide product within 50 feet of wells (including abandoned wells and drainage wells), sink holes, perennial or intermittent streams and rivers, and natural or impounded lakes and reservoirs. DO NOT apply pesticide product within 50 feet of wells. This setback does not apply to properly capped or plugged abandoned wells and does not apply to impervious pad or properly diked mixing/loading areas as described below.



Mixing, loading, rinsing, or washing operations performed within 50 feet of a well are allowed only when conducted on an impervious pad constructed to withstand the weight of the heaviest load that may be on or move across the pad. The pad must be self-contained to prevent surface water flow over or from the pad. The pad capacity must be maintained at 110% that of the largest pesticide container or application equipment used on the pad and have sufficient capacity to contain all product spills, equipment or container leaks, equipment washwaters, and rainwater that may fall on the pad. The containment capacity does not apply to vehicles delivering pesticide shipments to the mixing/loading site. States may have in effect additional requirements regarding wellhead setbacks and operational containment.

Care must be taken when using this product to prevent: a) back siphoning into wells, b) spills, or c) improper disposal of excess pesticide, spray mixtures, or rinsates. Check valves or anti-siphoning devices must be used on all mixing equipment.

**Movement by surface runoff or through soil:** DO NOT apply under conditions that favor runoff. DO NOT apply if soil is saturated with water or when rainfall that may exceed soil field capacity is forecasted to occur within 48 hours.

Under some conditions, dicamba has the potential for runoff several days after application. Poorly draining, wet, or erodible soils with readily visible slopes toward adjacent sensitive areas are more prone to produce runoff. When used on erodible soils, best management practices for minimizing runoff should be employed. Consult your local Soil Conservation Service for recommendations in your use area.

Ground water contamination may occur in areas where soils are permeable or coarse and ground water is near the surface. DO NOT apply to impervious substrates such as paved or highly compacted surfaces in areas with high potential for ground water contamination. DO NOT apply to soils classified as sand with less than 3% organic matter and where ground water depth is shallow.

**Movement by water erosion of treated soil:** DO NOT apply or incorporate this product through any type of irrigation equipment nor by flood or furrow irrigation. Ensure treated areas have received at least one-half inch rainfall (or irrigation) before using tailwater for subsequent irrigation of other fields.

## PROTECTING ENDANGERED SPECIES / PESTICIDE USE LIMITATION AREAS

The use of any pesticide in a manner that may kill or otherwise harm an endangered species or adversely modify their habitat is a violation of federal law. Use of this product in a manner inconsistent with its labeling may pose a hazard to endangered or threatened species. **When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product.** To obtain Bulletins, no more than six months before using this product, consult <https://www.epa.gov/endangered-species/bulletins-live-two-view-bulletins> or call 1-844-447-3813. You must use the Bulletin valid for the month in which you will apply the product.

It is a Federal offense to use any pesticide in a manner that results in the death of an endangered species.

## PHYSICAL OR CHEMICAL HAZARDS

DO NOT store or heat near oxidizing agents as a hazardous chemical reaction may occur.

## DIRECTIONS FOR USE

### RESTRICTED USE PESTICIDE

**Only for retail sale to and use by Certified Applicators. NOT to be used by uncertified persons working under the supervision of a certified applicator, except that uncertified persons may transport containers.**

**It is a violation of Federal law to use this product in any manner inconsistent with its labeling. This labeling must be in the user's possession during application. Read the entire label before using this product.**

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.

**For important crop safety information, refer to the "Specific Use Directions" section for each crop.**

## 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 of handlers of agricultural pesticides. It contains requirements for training, decontamination, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about Personal Protective Equipment (PPE), notification to workers, and restricted-entry intervals. 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 24 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 worn over short-sleeved shirt and short pants
- Chemical-resistant footwear plus socks
- Waterproof gloves
- Chemical-resistant headgear for overhead exposure
- Protective eyewear

## PRODUCT INFORMATION

XtendiMax® With VaporGrip® Technology is:

- a water-soluble formulation intended for control and suppression of many annual, biennial, and perennial broadleaf weeds listed in the “Weeds Controlled or Suppressed” section of this label. This product may be used for control of these weeds in cotton with XtendFlex® Technology and soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology.
- a contact, systemic herbicide, with limited soil activity on small seeded broadleaf weeds, including waterhemp, lambsquarters, and Palmer pigweed.
- readily absorbed by plants through shoot and root uptake, translocates throughout the plant’s system, and accumulates in areas of active growth. XtendiMax® With VaporGrip® Technology interferes with plant growth hormones (auxins) resulting in death of many broadleaf weeds.

Additional state restrictions and requirements may apply. The user must comply with any additional state requirements and restrictions.

Refer to the specific use directions and restrictions in each crop table. Follow all requirements and restrictions on [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com).

## APPLICATION REQUIREMENTS OVERVIEW

Read and follow all applicable restrictions, precautions, and directions on the container label and booklet and at [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com). For product questions or inquiries and/or to report any nonperformance of this product against any particular weed species, call 1-844-RRXTEND (1-844-779-8363). It is recommended that the certified applicator visit [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com) to obtain a copy of the Overview of Application Requirements for reference prior to and during application.

REQUIREMENTS	LABEL SECTIONS
<p><b>Mandatory Training:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Prior to applying, applicator must complete dicamba-specific training. Only certified applicators may apply this product; NOT to be used by uncertified persons working under the supervision of a certified applicator, except that uncertified persons may transport containers.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Training (pp. 5-6)</li> </ul>
<p><b>Record Keeping:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Records must be created within 72 hours of every application. Records must be kept for a period of two years.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Record Keeping (p. 6)</li> </ul>
<p><b>Application:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> For EVERY application of XtendiMax® With VaporGrip® Technology, an approved <b>Volatility Reduction Adjuvant (VRA)</b> must be included in the spray solution. An approved <b>Drift Reduction Adjuvant (DRA)</b> must also be included in the spray solution, unless otherwise indicated on <a href="http://www.xtendimaxapplicationrequirements.com">www.xtendimaxapplicationrequirements.com</a>. Refer to the website for a list of approved DRAs and VRAs.</li> <li><input type="checkbox"/> <b>Rate and Timing:</b> Apply 22 fluid ounces per acre (0.5 lb. a.e. dicamba) for any single pre-emergent or in-crop application in: <ul style="list-style-type: none"> <li>○ Cotton with XtendFlex® Technology up to and including July 30 (DO NOT apply after July 30 regardless of growth stage), and</li> <li>○ Soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology up to and including June 30. Applications occurring after R1 are prohibited as crop response may occur and in no event can applications be made after June 30 regardless of growth stage.</li> <li>○ For details, see the “Specific Use Directions” section.</li> </ul> </li> <li><input type="checkbox"/> <b>Spray volume:</b> Apply in a minimum of 15 gallons of spray solution per acre.</li> <li><input type="checkbox"/> <b>Tank mixing:</b> Use only approved tank-mix partners found at <a href="http://www.xtendimaxapplicationrequirements.com">www.xtendimaxapplicationrequirements.com</a>.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Tank Mix Partners (p. 9)</li> <li>➤ Specific Use Directions (pp. 12-14)</li> <li>➤ Specific Use Directions (pp. 12-14)</li> <li>➤ Tank Mix Partners (p. 9)</li> </ul>

<ul style="list-style-type: none"> <li>○ Refer to all product labels to determine mix order or perform a mix compatibility test.</li> </ul>	
<p><b>Application Equipment:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Spray system equipment cleanout:</i> Ensure entire sprayer system is properly cleaned before and after application.</li> <li><input type="checkbox"/> <i>Nozzles:</i> Use only approved nozzles within specified pressures found at <a href="http://www.xtendimaxapplicationrequirements.com">www.xtendimaxapplicationrequirements.com</a>.</li> <li><input type="checkbox"/> <i>Spray boom height:</i> Maximum boom height is 24 inches above target pest or crop canopy.</li> <li><input type="checkbox"/> <i>Ground speed:</i> DO NOT exceed 15 mph.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Equipment Requirements (pp. 7-8)</li> </ul>
<p><b>Environmental Conditions:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Wind speed:</i> Apply when wind speed, measured at boom height, is 3-10 mph.</li> <li><input type="checkbox"/> <i>Inversions:</i> DO NOT spray during an inversion; only spray between one hour after sunrise and two hours before sunset.</li> <li><input type="checkbox"/> <i>Rainfall:</i> DO NOT apply this product if rain that may exceed soil field capacity and result in soil runoff is forecasted in the next 48 hours.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Environmental Requirements (p. 7)</li> </ul>
<p><b>Downwind Requirements:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Sensitive crops and certain plants downwind:</i> DO NOT apply if sensitive crops and/or certain plants, as defined below in this label, are planted on an adjacent downwind field or area.</li> <li><input type="checkbox"/> <i>Downwind buffer:</i> After determining no adjacent sensitive crops and/or certain plants are downwind, maintain a 240-ft downwind buffer.</li> <li><input type="checkbox"/> <i>Endangered species:</i> Consult Endangered Species Protection Bulletins for ESA counties and restrictions.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Adjacent Sensitive Crops and Certain Plants (p. 8)</li> <li>➤ Buffer Requirements (p. 8)</li> <li>➤ Protecting Endangered Species (p. 3)</li> </ul>
<p><b>Drift Reduction Technology:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> See "Optional Use of Drift Reduction Technology" section for details on application requirements and the potential to qualify for reduced use restrictions.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Optional Use of Drift Reduction Technology (pp. 8-9)</li> </ul>

## USE RESTRICTIONS

- DO NOT USE ANY TANK MIX PRODUCT OR ANY NOZZLE AND PRESSURE COMBINATION WITH XTENDIMAX® WITH VAPORGRIP® TECHNOLOGY THAT IS NOT IDENTIFIED ON THE LIST OF APPROVED PRODUCTS FOUND AT [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com).
- DO NOT TANK MIX AMMONIUM SULFATE (AMS) WITH THIS PRODUCT.
- DO NOT EXCEED 88 FLUID OUNCES (2 POUNDS ACID EQUIVALENT (A.E.) DICAMBA) OF XTENDIMAX® WITH VAPORGRIP® TECHNOLOGY PER ACRE PER YEAR.
- DO NOT EXCEED 88 FLUID OUNCES (2 POUNDS A.E. DICAMBA) PER ACRE PER YEAR FROM ALL DICAMBA APPLICATIONS IF MORE THAN ONE DICAMBA-CONTAINING PRODUCT IS APPLIED TO THE SAME SITE WITHIN THE SAME YEAR.
- DO NOT MAKE APPLICATION OF THIS PRODUCT IF RAIN IS EXPECTED IN THE NEXT 48 HOURS THAT MAY EXCEED SOIL FIELD CAPACITY AND RESULT IN SOIL RUNOFF.
- DO NOT APPLY THROUGH ANY TYPE OF IRRIGATION EQUIPMENT. DO NOT TREAT IRRIGATION DITCHES OR WATER USED FOR CROP IRRIGATION OR DOMESTIC PURPOSES.
- DO NOT APPLY TO CROPS UNDER STRESS DUE TO LACK OF MOISTURE, HAIL DAMAGE, FLOODING, HERBICIDE INJURY, MECHANICAL INJURY, INSECTS, OR WIDELY FLUCTUATING TEMPERATURES AS INJURY MAY RESULT.
- DO NOT APPLY THIS PRODUCT IF SENSITIVE CROPS AND CERTAIN PLANTS ARE PLANTED ON AN ADJACENT DOWNWIND FIELD OR AREA.
- DO NOT APPLY THIS PRODUCT AERIALY.
- Restricted Entry Interval (REI): 24 hours.

## USE PRECAUTIONS

- In case material is released or spilled: dike and contain the spill with inert material (sand, earth, etc.) and transfer liquid and solid diking material to separate containers for disposal. Remove contaminated clothing and wash affected skin areas with soap and water. Wash clothing before re-use. Keep the spill out of all sewers and open bodies of water.
- Rainfast period: This product is rainfast four (4) hours after application to most weed species. Rainfall or irrigation occurring within four (4) hours after application may necessitate retreatment or may otherwise result in reduced weed control.

## TRAINING

Prior to using this product, users must complete dicamba-specific training to obtain certification. Once completed, dicamba-specific training is then required every other year for all users of this product. If state-specific training is required by the state where the applicator intends to apply this product, the applicator must complete training from the state or state-authorized provider. Otherwise, the applicator

may complete dicamba-specific training provided either by the state/state-authorized provider or by a registrant of a dicamba product approved for in-crop use with dicamba-tolerant crops.

## RECORD KEEPING

The following records must be generated as soon as practical but **no later than 72 hours after application**. The certified applicator must keep these records for a period of **two years**. Records must be made available to State Pesticide Control Official(s), USDA, and EPA upon request. See [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com) for an example form summarizing record keeping requirements.

Keep records of the following items for each application of XtendiMax<sup>®</sup> With VaporGrip<sup>®</sup> Technology:

1. All Items required by 7 CFR Part 110 (RECORDKEEPING ON RESTRICTED USE PESTICIDES BY CERTIFIED APPLICATORS), including:
  - a. The brand or product name
  - b. The EPA registration number
  - c. The total amount applied
  - d. The month, day, and year of application
  - e. The location of the application
  - f. The crop, commodity, stored product, or site of application
  - g. The size of treated area
  - h. The name of the certified applicator
  - i. The certification number of the certified applicator
2. *Training*: Completion date and provider of required training and proof of completion.
3. *Receipts of Purchase*: Receipts or copies for the purchase of this product.
4. *Product Label*: A copy of this product label and any state special local needs label that supplements this label.
5. *Sensitive Crops and Certain Plants Awareness*:
  - a. Document that a sensitive crop registry was consulted. At a minimum, documentation must include the name of the sensitive crop registry and the date it was consulted.
  - b. Record of a survey of adjacent areas documenting the sensitive crops and/or certain plants (as defined below in the "Adjacent Sensitive Crops and Certain Plants" section of this label) surrounding the field prior to application. At a minimum, records must include documentation of adjacent sensitive crops and/or certain plants and the date the survey was conducted.
6. *Buffer Requirement*: Record of the buffer distance implemented as directed in the "Spray Drift Management" and "Optional Use of Drift Reduction Technology" sections of this label.
7. *Start and Finish Times of Each Application*: Record of the time at which the application started and finished.
8. *Application Timing*: Record of the type of application (for example: preemergence, postemergence) and the number of days after planting if postemergence.
9. *Air Temperature*: Record of the air temperature in degrees Fahrenheit at the start and completion of each application.
10. *Wind Speed and Direction*: Record of the wind speed and direction (the direction from which the wind is blowing) at boom height at the start and completion of each application.
11. *Nozzle and Pressure*: Record of the spray nozzle manufacturer/brand, type, orifice size, and operating pressure used during each application of this product.
12. *Tank Mix Products*: Record of the brand names and EPA registration numbers (if applicable) for all products that were tank mixed with this product for each application, as well as a record of the volume of each added to the tank prior to application.
13. *Mandatory Volatility and Drift Reduction Adjuvants*: Receipts or copies for the purchase of an approved volatility reduction adjuvant, as well as a record of the volume added to the tank prior to application. Receipts or copies for the purchase of an approved DRA and a record of the volume added to the tank prior to application, unless otherwise indicated on [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com).
14. *Spray System Cleanout*: At a minimum, records must include confirmation that the spray system was clean before using this product and that the post-application cleanout was completed in accordance with the "Proper Spray System Equipment Cleanout" section of this label.

## HERBICIDE RESISTANCE MANAGEMENT RECOMMENDATIONS

The dicamba active ingredient in XtendiMax<sup>®</sup> With VaporGrip<sup>®</sup> Technology is a Group 4 herbicide. Any weed population may contain or develop plants naturally resistant to XtendiMax<sup>®</sup> With VaporGrip<sup>®</sup> Technology and other Group 4 herbicides. The resistant biotypes may dominate the weed population if these herbicides are used repeatedly in the same field. Appropriate resistance management strategies should be followed.

To delay herbicide resistance, take one or more of the following steps:

- Limit cultivation and/or mechanical tillage within 7 days after application, as this may result in reduced efficacy and promote regrowth of treated weeds.
- Rotate the use of XtendiMax<sup>®</sup> With VaporGrip<sup>®</sup> Technology within a growing season and among growing seasons with different herbicide groups (other than Group 4) that control the same weeds.
- Use tank mixtures with herbicides from a different herbicide Group if such use is permitted.
- Adopt an integrated weed-management program for herbicide use that includes scouting and uses historical information related to herbicide use and crop rotation and that considers tillage (or other mechanical control methods), cultural (e.g., higher crop seeding rates; precision fertilizer application method and timing to favor the crop and not the weeds), biological (weed-competitive crops or varieties), and other management practices.
- Scout after herbicide application to monitor weed populations for early signs of resistance development. Indicators of possible herbicide resistance include: (1) failure to control a weed species normally controlled by the herbicide at the dose applied,

especially if control is achieved on adjacent weeds; (2) a spreading patch of non-controlled plants of a particular weed species; (3) surviving plants mixed with controlled individuals of the same species. If resistance is suspected, prevent weed seed production in the affected area by an alternative herbicide from a different group or by a mechanical method such as hoeing or tillage. Prevent movement of resistant weed seeds to other fields by cleaning harvesting and tillage equipment when moving between fields and by planting clean seed.

- If a weed pest population continues to progress after treatment with this product, switch to another management strategy or herbicide with an effective mode of action, if available, and contact Bayer at 1-844-RRXTEND (1-844-779-8363).
- Contact your local extension specialist or certified crop advisors for additional pesticide resistance-management and/or integrated weed-management recommendations for specific crops and weed biotypes.
- For further information or to report suspected resistance contact Bayer at 1-844-RRXTEND (1-844-779-8363).

### **Management of Dicamba-Resistant Biotypes**

Appropriate testing is critical in order to determine if a weed is resistant to dicamba. Contact your Bayer representative to determine if resistance in any particular weed biotype has been confirmed in your area or visit [www.iwilltakeaction.com](http://www.iwilltakeaction.com) or [www.weedscience.org](http://www.weedscience.org).

The following good agronomic practices can reduce the spread of confirmed dicamba-resistant biotypes, particularly if pursued as soon as signs of resistance are observed:

- If a naturally occurring resistant biotype is present in your field, this product may be tank mixed or applied sequentially with an appropriately labeled herbicide with a different mode of action to achieve control (read "Tank Mixing" section for more information).
- Cultural and mechanical control practices (e.g., crop rotation or tillage) can also be used as appropriate.
- Scout treated fields after herbicide application and control weed escapes, including resistant biotypes, before they set seed.
- Thoroughly clean equipment, as practical, for all weed seeds before leaving fields known to contain resistant biotypes.

### **SPRAY DRIFT MANAGEMENT**

THE APPLICATOR IS RESPONSIBLE FOR AVOIDING OFF-SITE SPRAY DRIFT TO THE EXTENT CONSISTENT WITH APPLICABLE LAW. The applicator is responsible for compliance with state and local pesticide regulations, including any state or local pesticide drift regulations. DO NOT allow herbicide solution to mist, drip, drift, or splash onto desirable vegetation because severe injury or destruction to desirable broadleaf plants could result.

Applications using larger droplets reduces drift potential but will not prevent drift if the application is made improperly or under unfavorable environmental conditions. The interaction of weather-related factors and equipment must be monitored to maximize performance and on-target spray deposition. The applicator is responsible for considering all these factors when making a spray decision to the extent consistent with applicable law. BE AWARE OF NEARBY NON-TARGET SITES AND CHANGING ENVIRONMENTAL CONDITIONS (see the "Temperature Inversions" section of this label).

### **Environmental Requirements**

#### **Wind Speed**

Wind speed must be measured in the field of application at boom height prior to and after application. Only apply when wind speed at boom height is between 3 MPH and 10 MPH during application.

#### **Temperature Inversions**

DO NOT apply this product during a temperature inversion as the off-target movement potential is high.

Applications of this product may ONLY occur one hour after sunrise through two hours before sunset. In general, temperature inversions are more likely during nighttime hours.

- Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind.
- The presence of an inversion can be indicated by ground fog or, if fog is not present, by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

### **Equipment Requirements**

DO NOT APPLY THIS PRODUCT USING AERIAL SPRAY EQUIPMENT.

#### **Nozzle Type**

To produce minimal amounts of fine spray particles, the applicator must use an approved nozzle within a specified pressure range as found at [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com). DO NOT use any other nozzle and pressure combination not specifically listed on this website.

#### **Equipment Ground Speed**

DO NOT exceed a ground speed of 15 miles per hour. Select a ground speed that will deliver the desired spray volume while maintaining the desired spray pressure. Slower speeds generally result in better spray coverage and deposition on the target area. Provided the applicator can maintain the required nozzle pressure, it is recommended that tractor speed is reduced to 5 miles per hour at field edges.



### Spray Boom Height

Use the minimum boom height appropriate for spray pattern overlap based on nozzle selection and spacing, according to manufacturer recommendations, or 24 inches above canopy, whichever is smaller.

### Adjacent Sensitive Crops and Certain Plants

DO NOT SPRAY this product when wind is blowing toward adjacent sensitive crops and certain plants, as defined immediately below.

It is important for the applicator to be aware that wind direction may vary during the application. If wind direction shifts such that the wind is blowing toward adjacent sensitive crops and/or certain plants, the applicator **must STOP** the application.



Before making an application, 1) consult a sensitive crop registry (such as FieldWatch or state/federal registry), 2) survey adjacent fields and areas, and 3) confirm the type or variety of plants and crops surrounding the field prior to application. At a minimum, records must include the name of the sensitive crop registry, the date it was consulted, documentation of adjacent plants and crops/areas surrounding the field of application, and the date the survey was conducted.

Dicamba-sensitive crops and/or certain plants include, but are not limited to, non-dicamba-tolerant soybeans and cotton, tomatoes and other fruiting vegetables (EPA crop group 8), fruit trees, cucurbits (EPA crop group 9), grapes, beans, flowers, ornamentals, peas, potatoes, sunflower, tobacco, and other broadleaf plants, including if these plants are in a greenhouse. Severe injury or destruction could occur if any contact between this product and these plants occurs. Sensitive crop registries can provide additional information about sensitive crops and sensitive areas.

If you have questions regarding sensitive crop registries contact Bayer at 1-844-RRXTEND (1-844-779-8363) **prior to application**.

### Buffer Requirements

After determining no adjacent sensitive crops and/or certain plants are downwind, the applicator **must always maintain a 240-foot downwind buffer** between the last treated row and the nearest downwind field edge when applying using broadcast open-boom equipment. For reduced downwind buffer distances, refer to "Optional Use of Drift Reduction Technology" section of this label.



The following areas may be included in the buffer distance composition when directly adjacent to the treated field edges:

- Roads, paved or gravel surfaces, mowed grassy areas adjacent to field, and areas of bare ground from recent plowing or grading that are contiguous with the treated field
- Planted agricultural fields containing: corn, dicamba-tolerant cotton, dicamba-tolerant soybean, sorghum, proso millet, small grains, sugarcane, and other crops for which dicamba has a post-emergent approved use. If the applicator intends to include such crops as dicamba-tolerant cotton and/or dicamba-tolerant soybeans in the buffer distance composition, the applicator must confirm the crops are in fact dicamba-tolerant.
- Agricultural fields that have been prepared for planting
- Areas covered by the footprint of a building, silo, or other man-made structure with walls and/or roof

If you have questions regarding Buffer Requirement, contact Bayer at 1-844-RRXTEND (1-844-779-8363) **prior to application**.

### Optional Use of Drift Reduction Technology

This product may be optionally applied using a hooded/shielded broadcast sprayer or other types of drift reduction technology (DRT) for postemergence weed control as well as residual control of susceptible weeds. The applicator must use an approved nozzle within a specified pressure range as found at [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com). Use of drift reduction technology (DRT) in combination with approved nozzles is recommended to further reduce drift potential.

Applications of this product may qualify for reduced use restrictions, such as a reduced downwind buffer distance, provided a **qualified DRT** listed on [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com) is used and operated according to the directions and limitations provided at [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com).

### Hooded/Shielded Broadcast Sprayer:

For hooded/shielded sprayers, all application nozzles must be contained within the enclosed area. Shielding the boom or individual nozzles can reduce the effects of wind. However, it is the responsibility of the applicator to verify that the shields are preventing drift and

not interfering with uniform deposition of the product. Applicators must ensure the sprayer system is off or controlled during turns to further prevent spray drift. Refer to the hooded/shielded sprayer manufacturer use specifications prior to use.

*Requirements for Reduced Use Restrictions with Optional Hooded/Shielded Sprayer:* ONLY **qualified** hooded/shielded sprayers listed on [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com) are eligible for reduced use restrictions when applying this product. When using a **qualified** hooded/shielded sprayer, the applicator **must always maintain a minimum 110-foot downwind buffer** between the last treated row and the nearest downwind field edge. Consult Endangered Species Protection Bulletins for ESA counties and restrictions. While this product may be applied with other (non-qualified) hooded/shielded sprayers, no reduction in use restrictions is associated with their use.

## TANK MIX PARTNERS

### Tank Mixing

It is the pesticide user's responsibility to ensure that all products are registered for the intended use. Read and follow the applicable restrictions, limitations, and directions for use on all product labels involved in tank mixing. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank mixture.

**All applications of this product require the inclusion of a volatility reduction adjuvant (VRA)**, such as a VaporGrip® Xtra Agent product or an approved VRA equivalent, in the tank mix. The inclusion of a **drift reduction adjuvant (DRA) is also required** in the tank mix, unless otherwise indicated on [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com). Only tank mix products that have been tested and found to not adversely affect the offsite movement potential of XtendiMax® With VaporGrip® Technology may be tank mixed with XtendiMax® With VaporGrip® Technology. The applicator must check the website found at [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com) for a list of approved tank mix products no more than 7 days before applying XtendiMax® With VaporGrip® Technology.

DO NOT tank mix any product with XtendiMax® With VaporGrip® Technology unless:

1. The intended tank mix product is identified on the list of tested products found at [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com);
2. The intended products are not prohibited on either this label or the label of the tank mix product; and
3. All requirements and restrictions on [www.xtendimaxapplicationrequirements.com](http://www.xtendimaxapplicationrequirements.com) are followed.

**NOTE:** DO NOT use PVA (polyvinyl acetate) packets in a tank mix with products that contain boron or release free chlorine. The resultant reaction of PVA and boron or free chlorine is a plastic that is not soluble in water or solvents.

## APPLICATION INSTRUCTIONS

APPLY THIS PRODUCT USING PROPERLY MAINTAINED AND CALIBRATED EQUIPMENT CAPABLE OF DELIVERING THE REQUIRED VOLUMES.

DO NOT APPLY THIS PRODUCT USING AERIAL SPAY EQUIPMENT.

XtendiMax® With VaporGrip® Technology can be applied to actively growing weeds as broadcast, band, or spot spray applications using water as a carrier. For best results, treat weeds early when they are relatively small (less than 4 inches). Timely application to small weeds early in the season will improve control and reduce weed competition.

### Ground Application (Broadcast)

**Water Volume:** Use a minimum of 15 gallons of spray solution per broadcast acre for optimal performance. Use 20 gallons per acre or greater when treating dense weed canopy/vegetation.

### Ground Application (Hooded In-Row and Directed Layby)

Using a hooded sprayer or other drift reduction technology in combination with approved nozzles may further reduce drift potential. When applying XtendiMax® With VaporGrip® Technology by hooded in-row or layby sprayers, determine the amount of herbicide and water volume needed using the following formula:

$$\frac{\text{band width (inches)}}{\text{row width (inches)}} * \text{broadcast rate per acre} = \text{rate per treated acre}$$

$$\frac{\text{band width (inches)}}{\text{row width (inches)}} * \text{broadcast spray volume per acre} = \text{spray volume per treated acre}$$

## SPRAY SYSTEM EQUIPMENT CLEANOUT

You must ensure that the spray system used to apply this product is clean before using this product. Failure to properly clean the entire spray system can result in inadvertent contamination of the spray system. Contamination of the spray system may cause injury to non-dicamba-tolerant soybeans and other sensitive crops.

Inadvertent contamination can also occur in equipment used for bulk product handling and mixing prior to use in the spray system. Care should be taken to reduce contamination not only in the spray system but in any equipment used to transfer or deliver product. For example, bulk handling and mixing equipment containing this product should be segregated when possible to reduce potential for cross-



contamination. Consider using block and check valves to avoid backflow during transfer. Piping should be reviewed to ensure there is not potential for product build-up. Dedicated nurse trucks and tender equipment should be used when possible.

Clean equipment **immediately after using** this product, using a **triple rinse** procedure as follows:

1. After spraying, drain the sprayer (including boom and lines) immediately. DO NOT allow the spray solution to remain in the spray boom lines overnight prior to flushing.
2. Fill tank with clean water (at least 10% volume) and flush tank, hoses, boom, and nozzles. Ensure agitation for 15 minutes and then spray out solution through boom. If equipped, open boom ends and flush.
3. Inspect and clean all strainers, screens, and filters.
4. Fill tank with clean water (at least 10% of volume) and prepare a cleaning solution with a commercial detergent or sprayer cleaner or ammonia according to the manufacturer's directions.
5. Take care to wash all parts of the tank, including the inside top surface. Start agitation in the sprayer and thoroughly recirculate the cleaning solution for at least 15 minutes. All visible deposits must be removed from the spraying system.
6. Flush hoses, spray lines, and nozzles for at least 1 minute with the cleaning solution.
7. Remove nozzles, screens, and strainers and clean separately in the cleaning solution after completing the above procedures.
8. Drain pump, filter, and lines.
9. Repeat steps 2 and 3.
10. Rinse the complete spraying system with clean water.
11. Clean and wash off the outside of the entire sprayer and boom.
12. All rinse water must be disposed of in compliance with local, state, and federal guidelines.

## ROTATIONAL CROPS

When counting days from the application of this product, do not count days when the ground is frozen. Moisture is essential for the degradation of this herbicide in soil. If dry weather prevails, use cultivation to allow herbicide contact with moist soil.

No rotational cropping restrictions apply when rotating to soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology or to cotton seed with XtendFlex® Technology (including Bollgard® 3 XtendFlex® Cotton, Bollgard II® XtendFlex® Cotton, or XtendFlex® Cotton). For other crops, the interval between application and planting rotational crop is given below. Planting at intervals less than specified below may result in crop injury.

For application rates of this product of **22 fluid ounces per acre per year**:

- No planting restrictions apply beyond 120 days after application.
- East of the Mississippi River:
  - Wait a minimum of 30 days for 22 fluid ounces applied per acre before planting.
- West of the Mississippi River:
  - Wait a minimum of 45 days for 22 fluid ounces applied per acre before planting.
  - In areas with less than 30 inches of annual rainfall wait a minimum of 100 days before planting (furrow and/or overhead irrigation can be included in rainfall determination).

For application rates of this product of **44 to 88 fluid ounces per acre per year**:

- In areas with less than 30 inches of annual rainfall:
  - Wait a minimum of 180 days before planting crops (furrow and/or overhead irrigation can be included in rainfall determination).
- In areas with 30 inches or more annual rainfall:
  - Wait a minimum of 120 days after application before planting.

**WEEDS CONTROLLED OR SUPPRESSED**

General Weed List, Including ALS-, Glyphosate-, and Triazine-Resistant Biotypes

<b>ANNUAL WEEDS</b>		
Alkanet	Flixweed	Pusley, Florida
Amaranth, Palmer, Powell, Spiny	Fumitory	Radish, Wild
Aster, Slender	Goosefoot, Nettleleaf	Ragweed, Common, Giant (Buffaloweed), Lance-Leaf
Bedstraw, Catchweed	Hempnettle	Rocket, London, Yellow
Beggarweed, Florida	Henbit	Rubberweed, Bitter (Bitterweed)
Broomweed, Common	Jacobs-Ladder	Salsify
Buckwheat, Tartary, Wild	Jimsonweed	Senna, Coffee
Buffalobur	Knawel (German Moss)	Sesbania, Hemp
Burclover, California	Knotweed, Prostrate	Shepherdspurse
Burcucumber	Kochia	Sicklepod
Buttercup, Corn, Creeping, Roughseed, Western Field	Ladysthumb	Sida, Prickly (Teaweed)
Carpetweed	Lambsquarters Common	Smartweed, Green, Pennsylvania
Catchfly, Nightflowering	Lettuce, Miners, Prickly	Sneezeweed, Bitter
Chamomile, Corn	Mallow, Common, Venice	Sowthistle, Annual, Spiny
Chevil, Bur	Marestail (Horseweed)	Spanish Needles
Chickweed, Common	Mayweed	Spikeweed, Common
Clovers	Morningglory, Ivyleaf, Tall	Spurge, Prostrate, Leafy
Cockle, Corn, Cow, White	Mustard, Black, Blue, Tansy, Treacle, Tumble, Wild, Yellowtops	Spurry, Corn
Cocklebur, Common	Nightshade, Black, Cutleaf	Starbur, Bristly
Copperleaf, Hophornbeam	Pennycress, Field (Fanweed, Frenchweed, Stinkweed)	Starwort, Little
Cornflower (Bachelor Button)	Pepperweed, Virginia (Peppergrass)	Sumpweed, Rough
Croton, Tropic, Woolly	Pigweed, Prostrate, Redroot (Carelessweed), Rough, Smooth, Tumble	Sunflower, Common (Wild), Volunteer
Daisy, English	Pineappleweed	Thistle, Russian
Dragonhead, American	Poorjoe	Velvetleaf
Eveningprimrose, Cutleaf	Poppy, Red-horned	Waterhemp, Common, Tall
Falseflax, Smallseed	Puncturevine	Waterprimrose, Winged
Fleabane, Annual	Purshlane, Common	Wormwood

<b>BIENNIAL WEEDS</b>		
Burdock, Common	Gromwell	Starthistle, Yellow
Carrot, Wild (Queen Anne's Lace)	Knapweed, Diffuse, Spotted	Sweetclover
Cockle, White	Mallow, Dwarf	Teasel
Eveningprimrose, Common	Plantain, Bracted	Thistle, Bull, Milk, Musk, Plumeless
Geranium, Carolina	Ragwort, Tansy	

**PERENNIAL WEEDS**

Alfalfa	Garlic, Wild	Smartweed, Swamp
Artichoke, Jerusalem	Goldenrod, Canada, Missouri	Snakeweed, Broom
Aster, Spiny, Whiteheath	Goldenweed, Common	Sorrel, Red (Sheep Sorrel)
Bedstraw, Smooth	Hawkweed	Sowthistle, Perennial
Bindweed, Field, Hedge	Henbane, Black	Spurge, Leafy
Blueweed, Texas	Horsenettle, Carolina	Sundrops
Bursage, Woollyleaf (Bur Ragweed, Povertyweed)	Ironweed	Thistle, Canada, Scotch
Buttercup, Tall	Knapweed, Black, Diffuse, Russian, Spotted	Toadflex, Dalmatian
Campion, Bladder	Milkweed, Climbing, Common, Honeyvine, Western Whorled	Tropical Soda Apple
Chickweed, Field, Mouseear	Nettle, Stinging	Trumpet creeper (Buckvine)
Chicory	Nightshade, Silverleaf (White Horsenettle)	Vetch
Clover, Hop	Onion, Wild	Waterhemlock, Spotted
Dandelion, Common	Plantain, Broadleaf, Buckhorn	Waterprimrose, Creeping
Dock Broadleaf (Bitterdock), Curly	Pokeweed	Woodsorrel, Creeping, Yellow
Dogbane, Hemp	Ragweed, Western	Wormwood, Absinth, Louisiana
Dogfennel (Cypressweed)	Redvine	Yankee weed
Fern, Bracken	Sericia Lespedeza	Yarrow, Common

**SPECIFIC USE DIRECTIONS****CROPS WITH XTEND® TECHNOLOGY**

Cotton with XtendFlex® Technology (including Bollgard II® XtendFlex® COTTON, Bollgard® 3 XtendFlex® COTTON, or XtendFlex® COTTON) and soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology CONTAIN A PATENTED GENE THAT PROVIDES TOLERANCE TO DICAMBA, THE ACTIVE INGREDIENT IN THIS PRODUCT. THIS PRODUCT WILL CAUSE SEVERE CROP INJURY OR DESTRUCTION AND YIELD LOSS IF APPLIED TO COTTON AND SOYBEAN THAT ARE NOT DICAMBA TOLERANT, INCLUDING COTTON AND SOYBEAN WITH A TRAIT ENGINEERED TO CONFER TOLERANCE TO AUXIN HERBICIDES OTHER THAN DICAMBA. FOLLOW THE REQUIREMENTS SET FORTH HEREIN TO PREVENT SEVERE CROP INJURY OR DESTRUCTION AND YIELD LOSS. CONTACT WITH FOLIAGE, GREEN STEMS, OR FRUIT OF CROPS, OR ANY DESIRABLE PLANTS THAT DO NOT CONTAIN A DICAMBA TOLERANCE GENE OR ARE NOT NATURALLY TOLERANT TO DICAMBA, COULD RESULT IN SEVERE PLANT INJURY OR DESTRUCTION.

XtendiMax® With VaporGrip® Technology is approved by U.S. EPA for use in cotton with XtendFlex® Technology and in soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology only in the following states, subject to county restriction as noted: Alabama, Arkansas, Arizona, Colorado, Delaware, Florida (excluding Palm Beach County), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee (excluding Wilson County), Texas, Virginia, West Virginia, Wisconsin.

Information on cotton with XtendFlex® Technology and on soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology can be obtained from your seed supplier or Bayer representative. Cotton with XtendFlex® Technology and soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology must be purchased from an authorized licensed seed supplier.

Cotton with XtendFlex® Technology, soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology, and methods of controlling weeds and applying dicamba in cotton with XtendFlex® Technology and in soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology are protected under U.S. patent law. No license to use cotton with XtendFlex® Technology or soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology is granted or implied with the purchase of this herbicide product. Cotton with XtendFlex® Technology and soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology are owned by Bayer and a license must be obtained from Bayer before using it. Contact your Authorized Bayer Retailer for information on obtaining a license to use cotton with XtendFlex® Technology and soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology.

**COTTON WITH XTENDFLEX® TECHNOLOGY**

<b>Application Rate</b>	<ul style="list-style-type: none"> <li>• <b>Burndown/Early Preplant, Preplant, At-Planting, Preemergence:</b> Apply ONLY 22 fluid ounces (0.5 lb. acid equivalent (a.e.) dicamba) per acre for a single burndown/early preplant, preplant, at-planting, or preemergence application.</li> <li>• <b>Postemergence (in-crop):</b> For any single, in-crop application, apply ONLY 22 fluid ounces (0.5 lb. a.e. dicamba) per acre.</li> </ul>
<b>Maximum Annual Rates</b>	<ul style="list-style-type: none"> <li>• <i>Total of all Burndown/Early Preplant, Preplant, At-Planting, and Preemergence applications:</i> 44 fluid ounces per acre (1.0 lb. a.e. dicamba per acre)</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Total of all in-crop applications: 44 fluid ounces per acre (1.0 lb. a.e. dicamba per acre)</i></li> <li>• <i>Combined total per year for all applications: 88 fluid ounces per acre (2.0 lb. a.e. dicamba per acre)</i></li> </ul>
<b>Application Timing</b>	<ul style="list-style-type: none"> <li>• <b>Burndown/Early Preplant, Preplant, At-Planting, Preemergence:</b> This product may be applied before, during, or immediately after planting.</li> <li>• <b>Postemergence (in-crop):</b> This product may be applied in-crop up to and including July 30.</li> </ul>
<b>Number of Applications</b>	<ul style="list-style-type: none"> <li>• Sequential applications of this product may be necessary to control new flushes of weeds or on tough-to-control weeds. Allow at least 7 days between applications.</li> <li>• A maximum of <b>two</b> burndown/early preplant, preplant, at-planting, and preemergence and <b>two</b> in-crop applications may be made.</li> </ul>
<b>Spray Volume</b>	<ul style="list-style-type: none"> <li>• Apply this product in a minimum of 15 gallons of spray solution per acre as a broadcast application.</li> <li>• Use 20 gallons per acre or greater when treating dense weed canopy/vegetation.</li> </ul>
<b>Preharvest Interval</b>	<ul style="list-style-type: none"> <li>• Allow a minimum of 7 days between application and harvest.</li> </ul>
<b>Livestock Grazing or Feeding</b>	<ul style="list-style-type: none"> <li>• Permitted.</li> </ul>
<b>Use Precautions</b>	<ul style="list-style-type: none"> <li>• Refer to the "Weeds Controlled or Suppressed" section of this label for specific weeds controlled.</li> <li>• For best performance, control weeds early when they are less than 4 inches.</li> <li>• Postemergence applications of this product mixed with adjuvants may cause a leaf response to cotton with XtendFlex® Technology. The symptoms usually appear as necrotic spots on fully expanded leaves. EC-based products that are tank mixed with products containing dicamba may increase the severity of the leaf damage.</li> <li>• For postemergence applications with a hooded in-row sprayer, cotton must be a minimum of 15 inches tall at the time of application.</li> <li>• For postemergence applications with a directed layby sprayer, the release point for the herbicide must not be more than 10 inches from the soil and cotton must be at least 20 inches in height. Spray tip must be angled downward to the soil making sure no spray droplets remain in the air.</li> </ul>
<b>Use Restrictions</b>	<ul style="list-style-type: none"> <li>• DO NOT apply <b>less than 22 fluid ounces (0.5 lb. a.e. dicamba)</b> per acre.</li> <li>• DO NOT apply <b>more than 22 fluid ounces (0.5 lb. a.e. dicamba)</b> per acre.</li> <li>• DO NOT exceed two pre-emergent applications.</li> <li>• DO NOT exceed two post-emergent applications.</li> <li>• DO NOT exceed 88 fluid ounces per acre (2.0 lb. a.e. dicamba per acre) per year.</li> </ul>

<b>SOYBEAN WITH ROUNDUP READY 2 XTEND® TECHNOLOGY OR XTENDFLEX® TECHNOLOGY</b>	
<b>Application Rate</b>	<ul style="list-style-type: none"> <li>• <b>Burndown/Early Preplant, Preplant, At-Planting, Preemergence:</b> Apply ONLY 22 fluid ounces (0.5 lb. acid equivalent (a.e.) dicamba) per acre for a single burndown/early preplant, preplant, at-planting, or preemergence application.</li> <li>• <b>Postemergence (in-crop):</b> For any single, in-crop application, apply ONLY 22 fluid ounces (0.5 lb. a.e. dicamba) per acre.</li> </ul>
<b>Maximum Annual Rates</b>	<ul style="list-style-type: none"> <li>• <i>Total of all Burndown/Early Preplant, Preplant, At-Planting, and Preemergence applications: 44 fluid ounces per acre (1.0 lb. a.e. dicamba per acre)</i></li> <li>• <i>Total of all in-crop applications: 44 fluid ounces per acre (1.0 lb. a.e. dicamba per acre)</i></li> <li>• <i>Combined total per year for all applications: 88 fluid ounces per acre (2.0 lb. a.e. dicamba per acre)</i></li> </ul>
<b>Application Timing</b>	<ul style="list-style-type: none"> <li>• <b>Burndown/Early Preplant, Preplant, At-Planting, Preemergence:</b> This product may be applied before, during, or immediately after planting.</li> <li>• <b>Postemergence (in-crop):</b> This product may only be applied in-crop up to and including June 30. Applications occurring after R1 are prohibited as crop response may occur.</li> </ul>
<b>Number of Applications</b>	<ul style="list-style-type: none"> <li>• A second application may be necessary to control new flushes of weeds. Allow at least 7 days between applications. For best results, apply after some weed re-growth has occurred.</li> <li>• A maximum of <b>two</b> burndown/early preplant, preplant, at-planting, and preemergence and <b>two</b> in-crop applications may be made.</li> </ul>
<b>Spray Volume</b>	<ul style="list-style-type: none"> <li>• Apply this product in a minimum of 15 gallons of spray solution per acre as a broadcast application.</li> <li>• Use 20 gallons per acre or greater when treating dense weed canopy/vegetation.</li> </ul>
<b>Preharvest Interval</b>	<ul style="list-style-type: none"> <li>• Allow a minimum of 7 days between application and harvest.</li> </ul>
<b>Livestock Grazing or Feeding</b>	<ul style="list-style-type: none"> <li>• Permitted.</li> </ul>
<b>Use Precautions</b>	<ul style="list-style-type: none"> <li>• Refer to the "Weeds Controlled or Suppressed" section of this label for specific weeds controlled.</li> <li>• For best performance, control weeds early when they are less than 4 inches.</li> <li>• Postemergence application under stressful environments may cause temporary loss of turgor, a response commonly described as leaf droop in soybean with Roundup Ready 2 Xtend® Technology or XtendFlex® Technology. Typically, affected plants recover in 1-3 days depending on the level of droop and environmental conditions.</li> <li>• For postemergence applications with a hooded in-row sprayer, soybeans must be a minimum of 15 inches tall at the time of application.</li> <li>• For postemergence applications with a directed layby sprayer, the release point for the herbicide must not be more than 10 inches from the soil and soybeans must be at least 20 inches in height. Spray tip must be angled downward to the soil making sure no spray droplets remain in the air</li> </ul>

<b>Use Restrictions</b>	<ul style="list-style-type: none"> <li>• DO NOT apply <b>less than</b> 22 fluid ounces (0.5 lb. a.e. dicamba) per acre.</li> <li>• DO NOT apply <b>more than</b> 22 fluid ounces (0.5 lb. a.e. dicamba) per acre.</li> <li>• DO NOT exceed two pre-emergent applications.</li> <li>• DO NOT exceed two post-emergent applications.</li> <li>• DO NOT exceed 88 fluid ounces per acre (2.0 lb. a.e. dicamba per acre) per year.</li> </ul>
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## STORAGE AND DISPOSAL

Proper pesticide storage and disposal are essential to protect against exposure to people and the environment due to leaks and spills, excess product or waste, and vandalism. Do not allow this product to contaminate water, foodstuffs, feed or seed by storage or disposal.

### **Pesticide storage**

Store pesticides away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Keep container closed to prevent spills and contamination.

### **Pesticide disposal**

To avoid wastes, use all material in this container, including rinsate, by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program. Such programs are often run by state or local governments or by industry. All disposal must be in accordance with applicable federal, state, and local regulations and procedures.

### **Container handling and disposal**

*[Insert appropriate Container Handling and Disposal Statement and Refilling Limitation from the following options]*

#### **[CONTAINER HANDLING AND DISPOSAL STATEMENT AND REFILLING LIMITATION FOR NONREFILLABLE RIGID CONTAINERS OF LESS THAN 1-GALLON CAPACITY]**

Nonrefillable container. Do not reuse or refill this container.

*[Alternative container statement: Nonrefillable container. Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in this container. Contact your state regulatory agency to determine allowable practices in your state.]*

Triple rinse this container promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or mix-tank and continue to drain for 10 seconds after the flow begins to drip. Fill the container  $\frac{1}{4}$  full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or mix-tank, or store rinsate for later use or disposal. Continue to drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Once properly rinsed, some plastic *[Optional text: agricultural]* pesticide containers can be taken to a container collection site or picked up for recycling. *[Alternative container disposal statement: Then offer the container for recycling, if available.]*

*[Optional container disposal statement: To find the nearest collection site, contact your chemical dealer or Bayer at 1-866-99BAYER (1-866-992-2937).]*

If recycling is not available, dispose of in accordance with federal, state and local regulations and procedures, which may include puncturing the properly rinsed container and disposing in a sanitary landfill.

#### **[CONTAINER HANDLING AND DISPOSAL STATEMENT AND REFILLING LIMITATION FOR NONREFILLABLE RIGID PLASTIC 2.5-GALLON CONTAINER AND OTHER NONREFILLABLE CONTAINERS OF GREATER THAN 1-GALLON BUT EQUAL TO OR LESS THAN 5-GALLON CAPACITY]**

Nonrefillable container. Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in this container. Contact your state regulatory agency to determine allowable practices in your state.

*[Alternative container statement: Nonrefillable container. Do not reuse or refill this container.]*

Triple rinse or pressure rinse (or equivalent) this container promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or mix-tank and continue to drain for 10 seconds after the flow begins to drip. Fill the container  $\frac{1}{4}$  full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or mix-tank, or store rinsate for later use or disposal. Continue to 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 mix-tank and continue to drain for 10 seconds after the flow begins to drip. Place container so that it can drain directly into application equipment or mix-tank while rinsing, or collect



rinsate for later use or disposal. Insert pressure rinsing nozzle into the side of the container and rinse at about 40 PSI for at least 30 seconds. Continue to drain for 10 seconds after the flow begins to drip.

Once properly rinsed, some plastic [*Optional text: agricultural*] pesticide containers can be taken to a container collection site or picked up for recycling. [*Alternative container disposal statement: Then offer the container for recycling, if available.*]

[*Optional container disposal statement: To find the nearest collection site, contact your chemical dealer or Bayer at 1-866-99BAYER (1-866-992-2937).*]

If recycling is not available, dispose of in accordance with federal, state and local regulations and procedures, which may include puncturing the properly rinsed container and disposing in a sanitary landfill.

[*CONTAINER HANDLING AND DISPOSAL STATEMENT AND REFILLING LIMITATION FOR NONREFILLABLE RIGID PLASTIC 30-GALLON CONTAINER AND OTHER NONREFILLABLE CONTAINERS OF GREATER THAN 5-GALLON CAPACITY*]  
Nonrefillable container. Do not reuse or refill this container.

[*Alternative container statement: Nonrefillable container. Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in this container. Contact your state regulatory agency to determine allowable practices in your state.*]

Triple rinse or pressure rinse (or equivalent) this container promptly after emptying.

[*Optional label text: For containers not equipped with pumping systems,*] Triple rinse as follows: Empty the remaining contents into application equipment or mix-tank. Fill the container  $\frac{1}{4}$  full with water. Replace and tighten closures. Tip the container on its side and roll it back and forth for 30 seconds, ensuring at least one complete revolution. 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 mix-tank, or store rinsate for later use or disposal. Repeat this procedure two more times.

[*Alternative or additional triple rinsing instructions for large containers equipped with pumping systems: [Optional label text: For large containers equipped with pumping systems,*] Triple rinse as follows: Empty the remaining contents into application equipment or mix-tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.]

Pressure rinse as follows: Empty the remaining contents into application equipment or mix-tank and continue to drain for 10 seconds after the flow begins to drip. Place container so that it can drain directly into application equipment or mix-tank while rinsing, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle into the side of the container and rinse at about 40 PSI for at least 30 seconds. Continue to drain for 10 seconds after the flow begins to drip.

Once properly rinsed, some plastic [*Optional text: agricultural*] pesticide containers can be taken to a container collection site or picked up for recycling. [*Alternative container disposal statement: Then offer the container for recycling, if available.*]

[*Optional container disposal statement: Some container manufacturers offer container recycling. See additional information regarding manufacturer recycling programs attached to this container, if available. If no recycling information is available on this container, contact your chemical dealer or Bayer at 1-866-99BAYER (1-866-992-2937) to find the nearest recycling location.*]

[*Optional container disposal statement: To find the nearest collection site, contact your chemical dealer or Bayer at 1-866-99BAYER (1-866-992-2937).*]

If recycling is not available, dispose of in accordance with federal, state and local regulations and procedures, which may include puncturing the properly rinsed container and disposing in a sanitary landfill.

[*Optional container disposal statement: Return Properly Rinsed Container to Bayer for Recycling – Call 1-866-99BAYER (1-866-992-2937).*]

[*Optional additional container disposal statement: IBC EMPTY? – FREE CALL – 1-888-SCHUETZ (1-888-724-8389) www.schuetz.net/ticket; Schuetz ticket service]*

[*Optional additional container disposal statement: FREE IBC PICKUP] [For continental USA and Canada only.]*

[*Optional additional container disposal statement: RETURNnet SYSTEM – To return empty IBC's Email or Call – www.returnnetsystem.com – 1-888-758-SHIP (1-888-758-7447) – United States and Canada – IBCNA – Clarkston, Michigan – USA]*

[*CONTAINER HANDLING AND DISPOSAL STATEMENT AND REFILLING LIMITATION FOR ALL REFILLABLE CONTAINERS, EXCEPT TRANSPORT VEHICLES*]

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

Cleaning this container before refilling is the responsibility of the refiller. Cleaning this container before final disposal is the responsibility of the person disposing of the container.

To clean this container before final disposal, empty the remaining contents from the container into application equipment or mix-tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

[Optional container disposal statement: Then offer the container for recycling, if available.]

[Optional container disposal statement: Some container manufacturers offer container recycling. See additional information regarding manufacturer recycling programs attached to this container, if available. If no recycling information is available on this container, contact your chemical dealer or Bayer at 1-866-99BAYER (1-866-992-2937) to find the nearest recycling location.]

[Optional additional container disposal statement: IBC EMPTY? – FREE CALL – 1-888-SCHUETZ (1-888-724-8389) [www.schuetz.net/ticket](http://www.schuetz.net/ticket); Schuetz ticket service]

[Optional additional container disposal statement: FREE IBC PICKUP] [For continental USA and Canada only.]

[Optional additional container disposal statement: RETURNnet SYSTEM – To return empty IBC's Email or Call – [www.returnnetsystem.com](http://www.returnnetsystem.com) – 1-888-758-SHIP (1-888-758-7447) – United States and Canada – IBCNA – Clarkston, Michigan – USA]

[Optional container disposal statement: To obtain information about recycling refillable containers, contact Bayer at 1-866-99BAYER (1-866-992-2937).]

[Optional container disposal statement: Return Properly Rinsed Container to Bayer for Recycling – Call 1-866-99BAYER (1-866-992-2937).]

[Optional additional container label statements for the CUBE refillable packaging system only:

**CUBE** Bayer Refillable Delivery System

FEATURES INCLUDE:

- Automatic Venting
- Heavy duty one-way 2-inch camloc ball valve with protective shield door
- Complete coated steel protective enclosure
- Durable 4-way plastic pallet
- Lift door to access one-way valve]

## CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY

Read the entire Directions for Use, Conditions, Disclaimer of Warranties, and Limitations of Liability before buying or using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties, and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application inconsistent with this label (including conditions noted on the label, such as unfavorable soil conditions, unfavorable climate conditions, etc.), all of which are beyond the control of Bayer CropScience LP (“Bayer”) or the seller. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer. Buyer and all users shall promptly notify Bayer of any claims whether based in contract, negligence, strict liability, other tort or otherwise

**DISCLAIMER OF WARRANTIES:** Subject to risks as set forth in the Conditions above, Bayer warrants that this product is reasonably fit for the purposes stated on the label when used for the purposes stated on the label when used in accordance with directions. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE. BAYER MAKES NO RECOMMENDATION OR WARRANTY HEREIN REGARDING THE USE OF ANY PRODUCTS THAT MAY APPEAR ON THE WEBSITE REFERENCED IN THE TANK MIXING INSTRUCTIONS HEREIN, REGARDLESS OF WHETHER SUCH PRODUCT IS USED ALONE OR IN A TANK MIX WITH XtendiMax® With VaporGrip® Technology. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, FOR IN-CROP (OVER-THE-TOP) USES ON CROPS WITH XTEND® TECHNOLOGY, CROP SAFETY AND WEED CONTROL PERFORMANCE ARE NOT WARRANTED BY BAYER WHEN THIS PRODUCT IS USED IN CONJUNCTION WITH “BROWN BAG” OR “BIN RUN” SEED SAVED FROM PREVIOUS YEAR'S PRODUCTION AND REPLANTED. FURTHER, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER DOES NOT WARRANT THE WEED CONTROL PERFORMANCE OF DICAMBA-RESISTANT WEED BIOTYPES.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries, or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid, or at Bayer's election, the replacement of product.



These Conditions of Sales, Disclaimer of Warranties and Limitations of Liability cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Bayer or seller is authorized to vary or exceed the terms of the Disclaimer of Warranties or Limitations of Liability in any manner.

Bollgard II<sup>®</sup>, Bollgard<sup>®</sup>, Degree Xtra<sup>®</sup>, Field Master<sup>®</sup>, Harness<sup>®</sup>, Roundup Ready<sup>®</sup>, Roundup Ready 2 Xtend<sup>®</sup>, Roundup PowerMAX<sup>®</sup>, RT 3<sup>®</sup>, Roundup WeatherMAX<sup>®</sup>, XtendiMax<sup>®</sup>, XtendFlex<sup>®</sup>, and VaporGrip<sup>®</sup> are registered trademarks of Bayer Technology LLC. All other trademarks are the property of their respective owners.

## PRODUCED FOR



**Bayer CropScience LP**  
**800 N. Lindbergh Blvd.**  
**St. Louis, MO 63167**  
**1-866-99BAYER (1-866-992-2937)**

**XTENDIMAX<sup>®</sup> WITH VAPORGRIP<sup>®</sup> TECHNOLOGY (PENDING) 10/26/2020**