

FIFRA Section 24(c) Special Local Need



GROUP 1 HERBICIDE

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON



FOR CONTROL OF VOLUNTEER CEREALS IN
ARUGULA AND MUSTARDS (WHITE, YELLOW, ORIENTAL,
INDIAN, BROWN) GROWN AS GREEN MANURE CROPS ONLY

EPA Reg. No. 59639-132
EPA SLN NO. WA-060016

DIRECTIONS FOR USE

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

Apply to actively growing volunteer cereals that are 2-6 inches in height. Apply Select Max™ with Inside Technology™ at a rate of 12-16 fl. oz. per acre by ground or air. By ground, use a minimum of 5 gal. and a maximum of 40 gal. spray solution per acre. By air, use 3-10 gal. spray solution per acre. Complete coverage is essential for control. Use higher water volumes and the maximum *Select Max* rate for volunteer cereal that is greater than 3-4 inches in height. A non-ionic surfactant at 0.25% v/v is recommended.

RESTRICTIONS:

1. Always read and follow all label directions when using any pesticide alone or sequentially.
2. Do not apply more than 16 fl. oz./A in a single application.
3. Do not apply more than 32 fl. oz./season.
4. If a second application is required, then allow a minimum of 14 days before treatment.
5. Mustard and arugula green manure crops treated with *Select Max* must be incorporated (e.g., tilled or disked) into the soil or allowed to winterkill.

DISCLAIMER, RISKS OF USING THIS PRODUCT, LIMITED WARRANTY AND LIMITATION OF LIABILITY

IMPORTANT: Read the entire label including this Disclaimer, Risks of Using this Product, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable, THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions,

disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application, (or a combination of such factors) all of which are factors beyond the control of Valent. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Valent shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Valent warrants only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label **and subject to the Risks of Using This Product as described above. EXCEPT AS SET FORTH ABOVE, VALENT MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED.** No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

In no event shall Valent or Seller be liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. THE EXCLUSIVE REMEDY OF THE BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF VALENT OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR, AT THE ELECTION OF VALENT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

PROMPT NOTICE OF CLAIM

Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

If Buyer does not notify Valent of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Valent and Seller offer this product, and Buyer accepts it, subject to the foregoing **Disclaimer, Risks of Using This Product, Limited Warranty** and **Limitation of Liability**, which may not be modified by any oral or written agreement.

WSDA Container Disposal Guidance: Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the internet from WSU at <http://pep.wsu.edu/waste/wd.html> or from WSDA at <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm>. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

RESISTANCE MANAGEMENT

Select Max is a Group 1 herbicide. Any weed population may contain or develop plants naturally resistant to *Select Max* and other Group 1 herbicides. Weed species with acquired resistance to Group 1 may eventually dominate the weed population if Group 1 herbicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by *Select Max* or other Group 1 herbicides. Repeated use of *Select Max* (or similar postemergence grass herbicide with the same mode of action) may lead to the selection of naturally occurring biotypes that are resistant to these products in some grass species.

If poor performance occurs and cannot be attributed to adverse weather or application conditions, a resistant biotype may be present. This is most likely to occur in fields where other control strategies such as crop rotation, mechanical removal and other classes of herbicides are not used from year to year.

To delay herbicide resistance, consider:

- Avoiding the consecutive use of *Select Max* or other target site of action Group 1 herbicides that have similar target site of action, on the same weed species.
- Using tank mixtures or premixes with herbicides from different target site of action groups as long as the involved products are all registered for the same use, have different sites of action, and are both effective at the tank mix or prepack rate on the weed(s) of concern.
- Basing herbicide use on a comprehensive IPM program.
- Monitoring treated weed populations for loss of field efficacy.
- Contacting your local extension specialist, certified crop advisors, and/or manufacturer for herbicide resistance management and/or integrated weed management recommendations for specific crops and resistant weed biotypes.

This label and the EPA-registered label must be in the possession of the user at the time of mixing and pesticide application.

Follow all applicable directions, restrictions, Worker Protection Standard requirements and precautions on the EPA-registered label.

This label for *Select Max* expires and must not be distributed or used in accordance with this SLN registration after December 31, 2010.

FIFRA § 24(c) Registrant: Valent U.S.A. Corporation
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