

# FIFRA

## Section 18: Emergency Exemption Use Directions



EMERGENCY EXEMPTION FOR POST-EMERGENCE WEED CONTROL IN DOUBLE-CUT MINT (SPEARMINT AND PEPPERMINT) ONLY.

FOR DISTRIBUTION AND USE ONLY WITHIN: ADAMS, BENTON, FRANKLIN, GRANT, KITTITAS, LINCOLN AND YAKIMA COUNTIES OF EASTERN WASHINGTON.  
EMERGENCY EXEMPTION PURSUANT TO SECTION 18 OF FIFRA, AS AMENDED

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Follow all applicable directions, restrictions, and precautions, including statements pertaining to the Worker Protection Standards, on the container label for Tough 5EC. The product container label for Tough 5EC and the Washington Section 18 Emergency Exemption Use Directions for mint must be in possession of the user at the time of pesticide application. Read entire Directions for Use and Disclaimer of Warranties before using this product.

Effective period: This label is effective May 21, 2020 and expires on Aug 31, 2020. Use outside of these dates is a violation of Federal law.

### INGREDIENTS:

Active Ingredient:

Pyridate: O-(6-chloro-3-phenyl-4-pyridaziny)-S-octyl-carbonothioate

55.8%

Other Ingredients:

44.2%

Total:

100.0%

*Contains 5 lbs. of pyridate per gallon of product  
Non-refillable container*

EPA Section 18 File Symbol: 20WA01

**KEEP OUT OF REACH OF CHILDREN  
WARNING / AVISO**

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

**FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN POOR WEED CONTROL, CROP INJURY, LOSS, DAMAGE OR YIELD REDUCTION, OR ILLEGAL RESIDUES.**

**DIRECTIONS FOR USE FOR DOUBLE-CUT MINT ONLY**

Apply Tough™ 5 EC as a broadcast treatment in sufficient water (20-40 gallons per acre) using ground equipment only to ensure good coverage of the weeds. One application of Tough™ 5 EC at 24 fl oz. per acre may be made per season. For the best control of broadleaf weeds, applications should be targeted to actively growing weeds by the 4 leaf stage (approximately 3 inches in height or less). A delay in spraying which permits weeds to grow beyond the 4 leaf stage may result in decreased control.

Apply a maximum of 0.9375 lb active ingredient (a.i.) per acre or 24 fluid ounces of formulated product per acre in 20-40 gallons of water per acre.

**Restrictions:**

- (1) To avoid excess residues, do not apply within 49 days of harvest.
- (2) **DO NOT** apply by air.
- (3) **DO NOT** apply this product through any type of irrigation system.
- (4) **DO NOT** apply this product when wind conditions will allow drift to adjacent susceptible vegetation.
- (5) **DO NOT** allow livestock to graze on treated fields.
- (6) **DO NOT** feed forage, hay or silage from treated fields to livestock.

To protect endangered plant species, one of the following options must be used:

- (1) Apply only when there is sustained wind away from wetland/transitional zone native plant communities,
- (2) Leave a 25-foot buffer between treatment area and wetland/transitional zone native plant communities, or
- (3) Use low pressure nozzles according to manufacturer's specifications that produce only coarse or very coarse droplets.

To protect freshwater invertebrate species, do not apply Tough™ 5EC within 100 yards of any freshwater spring.

Any adverse effects resulting from the use of Tough 5EC under this emergency exemption must be immediately reported to the Washington State Department of Agriculture.

Unused product: Any unused, unregistered product must be returned to the manufacturer or distributor in unopened containers or disposed of in accordance with the Resource Conservation and Recovery Act regulations following the expiration of the emergency exemption.

**STORAGE AND DISPOSAL**

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

**Pesticide Storage**

Store in original container in a locked storage area inaccessible to children or pets. Keep from freezing. Keep container tightly closed when not in use. Do not store near seeds, fertilizers, or food. Keep away from heat and flame.

**Pesticide Disposal**

Open dumping is prohibited. To avoid waste, use all material in this container by application according to label directions. Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. Rinse spray equipment. Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of as described above, contact your

State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

### **Container Handling / Disposal**

Do not reuse or refill this container. Offer for recycling if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

### **Belchim Crop Protection Special Conditions and Disclaimer for use of Tough 5EC on Mint**

BELCHIM CROP PROTECTION INTENDS THAT THIS SECTION 18 LABEL BE DISTRIBUTED ONLY BY THE MINT INDUSTRY RESEARCH COUNCIL (MIRC) ONLY TO END USERS AND/OR GROWERS WHO AGREE IN WRITING TO THE TERMS AND CONDITIONS REQUIRED BY THE MIRC INCLUDING A WAIVER AND RELEASE FROM ALL LIABILITY AND INDEMNIFICATION BY THE USER AND/OR GROWER OF BELCHIM CROP PROTECTION, MIRC, AND OTHERS FOR FAILURE TO PERFORM AND FOR CROP DAMAGE, INJURY, YIELD REDUCTION AND/OR CROP LOSS FROM USE OF TOUGH™ 5EC ON MINT. IF SUCH TERMS AND CONDITIONS ARE UNACCEPTABLE, RETURN TOUGH™ 5EC AT ONCE UNOPENED.

THIS PRODUCT WHEN USED ON MINT MAY LEAD TO CROP INJURY, LOSS, YIELD REDUCTION OR DAMAGE. BELCHIM CROP PROTECTION RECOMMENDS THAT THE USER AND/OR GROWER TEST THIS PRODUCT IN ORDER TO DETERMINE ITS SUITABILITY FOR SUCH INTENDED USE. BELCHIM CROP PROTECTION MAKES THIS PRODUCT AVAILABLE TO THE USER AND/OR GROWER SOLELY TO THE EXTENT THE BENEFIT AND UTILITY, IN THE SOLE OPINION OF THE USER AND/OR GROWER, OUTWEIGH THE EXTENT OF POTENTIAL INJURY, LOSS, DAMAGE OR YIELD REDUCTION ASSOCIATED WITH THE USE OF THIS PRODUCT. THE DECISION TO USE OR NOT USE THIS PRODUCT MUST BE MADE BY EACH INDIVIDUAL USER AND/OR GROWER ON THE BASIS OF POSSIBLE CROP INJURY, LOSS, DAMAGE OR YIELD REDUCTION FROM TOUGH™ 5EC, THE SEVERITY OF WEED INFESTATION, THE COST OF ALTERNATIVE WEED CONTROLS, AND ANY OTHER RELEVANT FACTORS. BECAUSE OF THE RISK, ALL USE IS AT USER'S AND/OR GROWER'S RISK.

THIS SPECIAL CONDITIONS AND DISCLAIMER STATEMENT IS A REQUIREMENT OF BELCHIM CROP PROTECTION, AND IS NOT REQUIRED OR ENFORCED BY THE USEPA OR THE WSDA.

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