

Classified for "RESTRICTED USE" in New York State under 6NYCRR Part 326



DOC ID 527557

Section 24(c) Special Local Need Label

ACCEPTED FOR REGISTRATION
ONLY IN CONJUNCTION WITH
NEW YORK STATE SPECIFIC
SUPPLEMENTAL LABELING
SLN NY. 110004

JULY 26, 2011

New York State Department of Environmental Conservation Division of Solid & Hazardous Materials Pesticide Product Registration Section

# FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF NEW YORK (EXCEPT NASSAU AND SUFFOLK COUNTIES)

# Dual MAGNUM™

EPA Reg. 100-816 EPA SLN No. NY-110004

# SYNGENTA'S SPECIAL CONDITIONS, RISKS OF USE AND DISCLAIMER FOR USE OF DUAL MAGNUM ON CROPS ON THIS 24C LABEL

#### IMPORTANT- READ BEFORE USE

THESE CONDITIONS RISKS OF USE AND DISCLAIMER ARE REQUIRED BY SYNGENTA CROP PROTECTION LLC AND NOT SPECIFIED BY U.S. EPA OR THE STATE OF NEW YORK

FOR CONTROL OF WEEDS IN CANEBERRY CROP SUBGROUP 13A (BLACKBERRY, RED RASPBERRY, AND BLACK RASPBERRY), BROCCOLI (DIRECT SEEDED AND TRANSPLANTED), MELON CROP SUBGROUP 9A (CANTALOUPE, MUSKMELON AND WATERMELON), CUCUMBER, GARLIC, HIGHBUSH BLUEBERRY, AND LEAFY BRASSICA GREENS CROP SUBGROUP 5B

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SYNGENTA CROP PROTECTION, LLC INTENDS THAT THE PRODUCT THAT IS THE SUBJECT OF THIS SECTION 24C LABEL BE PURCHASED ONLY BY END USERS WHO AGREE BY ELECTRONIC SIGNATURE ON SYNGENTA CROP PROTECTION'S INTERNET SITE TO THE TERMS AND CONDITIONS REQUIRED BY SYNGENTA CROP PROTECTION, LLC INCLUDING A WAIVER AND RELEASE FROM ALL LIABILITY AND INDEMNIFICATION BY THE USER AND/OR GROWER OF SYNGENTA AND OTHERS FOR FAILURE TO PERFORM AND FOR CROP INJURY, CROP YIELD REDUCTION, AND/OR CROP LOSS FROM USE OF DUAL MAGNUM ON CROPS ON THIS 24(C) LABEL.

IF SUCH TERMS AND CONDITIONS ARE UNACCEPTABLE, RETURN THE DUAL MAGNUM AT ONCE UNOPENED OR USE THE DUAL MAGNUM FOR A DIFFERENT APPROVED USE IN ACCORDANCE WITH THE LABEL AFFIXED TO THE PRODUCT CONTAINER.

USE OF DUAL MAGNUM (THE "PRODUCT") ON CROPS LISTED (THE "CROP") FOR THIS SPECIAL LOCAL NEED MAY RESULT IN CROP INJURY, CROP YIELD REDUCTION AND/OR CROP LOSS AS FURTHER DISCUSSED BELOW. READ AND UNDERSTAND THESE CONDITIONS AND RISKS OF USE FOR SPECIAL LOCAL NEED BEFORE USING THE PRODUCT ON THE CROP. SYNGENTA RECOMMENDS THAT THE USER TEST THIS PRODUCT TO DETERMINE ITS SUITABILITY FOR SUCH INTENDED USE.

Syngenta Crop Protection, LLC makes the Product available for use in the manner described in this Supplemental Labeling on the basis that, in the sole opinion of the user, the benefits and utility derived from the use of the Product on the Crop outweigh the potential risk of Crop injury, Crop yield reduction or Crop loss. The decision to use this Product in the manner described in this Supplemental Labeling must be made by each individual user on the basis of anticipated benefits versus (i) the potential risk of Crop injury, Crop yield reduction and Crop loss, (ii) the severity of the target pest infestation, (iii) the cost and availability of alternative pest controls and (iv) any other relevant factors. Syngenta recommends that the user test this Product to determine its suitability for such intended use.

By purchasing the Product for use, or using the Product in the manner described in this Supplemental Labeling, you acknowledge and accept that, to the extent consistent with applicable law:

- 1) you assume all risk of Crop injury, Crop yield reduction and Crop loss;
- Syngenta Crop Protection, LLC do not make, and do not authorize any agent or representative to make, any representations or recommendations regarding the use of this Product on the Crop other than the statements on this Supplemental labeling;
- 3) Syngenta Crop Protection, LLC do not make, and do not authorize any agent or representative to make, any warranties, express or implied, with respect to the use of the Product on the Crop and disclaim all warranties, expressed or implied, including any implied warranty of merchantability;
- 4) Syngenta Crop Protection, LLC disclaim all liability for any damages, losses, expenses, claims or causes of actions arising out of or relating to Crop injury, Crop yield reduction and/or Crop loss;
- 5) these conditions and Risks of Use for Special Local Need supersede any contrary representations or recommendations by Syngenta Crop Protection, LLC or their respective agents or representatives, and any provisions in or on any Product literature or labeling including any provisions on the label affixed to the Product container.

If these Conditions and Risks of Use for Special Local Need are not acceptable, the unopened Product may be returned to the seller for a refund or used for a different labeled use in accordance with the label affixed to the Product container.

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

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 EPA-registered Dual MAGNUM label.

This labeling must be in the possession of the user at the time of herbicide application.

DO NOT use this product in Nassau or Suffolk Counties, New York.

<u>Chemigation</u>: **DO NOT** apply this product through any irrigation system unless the labeling for chemigation is followed. Refer to the Dual MAGNUM label (EPA Reg. No. 100-816) for use directions for chemigation.

Dual MAGNUM will not control emerged weeds. For effective weed control, Dual MAGNUM must be applied to clean-tilled soil.

# CANEBERRY CROP SUBGROUP 13A: BLACKBERRY, RED RASPBERRY, AND BLACK RASPBERRY

Apply Dual Magnum in the early spring as a banded application to both sides of the plant row at 1.0 - 2.0 pts/A (0.67 - 1.3 lb ai/A) prior to weed emergence. The application should be directed to the soil surface to avoid direct contact with the crop foliage or crop injury may occur. Use the lower end of the Dual Magnum rate range for soils that are relatively coarse textured and the higher rates on fine textured soils. Dual Magnum will not control emerged weeds. For banded applications, using row and band width measurements in inches, calculate the amount to be applied per acre as follows:

Band width in inches

X

Dual Magnum Rate per acre for a broadcast treatment

x

Dual Magnum Rate per acre for a broadcast treatment

a broadcast treatment

=

Amount of Dual Magnum needed per acre for a banded treatment

**Precautions:** (1) Dual Magnum will not control emerged weeds. Control emerged weeds with an appropriate registered foliar herbicide or by mechanical or physical means. (2) Not all caneberry types, cultivars or hybrids have been tested so injury from Dual Magnum may occur on some crops. (3) The risk of crop injury from Dual Magnum is greater at the higher use rates. (4) Application of Dual Magnum to crop foliage may result in crop injury and illegal residues. (5) Caneberry plants that have been established for less than one year may be more sensitive to applications of Dual Magnum than those plants established for more than one year. For this reason, the lower rates are suggested on newer plantings.

**Restrictions:** (1) Do not make more than one application of Dual Magnum per crop per season. (2) Do not apply more than 2.0 pts/A (1.3 lb ai/A) of Dual Magnum per crop per season. (3) Do not harvest for 28 days following the Dual Magnum application.

# BROCCOLI, DIRECT SEEDED AND TRANSPLANTED

Apply a single broadcast treatment of Dual MAGNUM at 0.5-1.33 pts. /A prior to transplanting or within 72 hours after transplanting, the latter often being less injurious. Apply to direct seeded cabbage only at the four-leaf stage. In that rate range, use lower rates on soils relatively coarse-textured and higher rates on fine-textured soils. Dual MAGNUM will not control emerged weeds. Control emerged weeds with an appropriate registered foliar herbicide or by mechanical or physical means. Weed control may be reduced on muck soils.

Restrictions: (1) Make only one application per crop. (2) Do not incorporate Dual Magnum. (3) Do not use in combination with Goal. (4) Crop maturity may be delayed by Dual Magnum application. (5) To avoid possible illegal residues, do not harvest cabbage within 50 days following application.

<u>Note</u>: Applications of Dual MAGNUM may cause significant injury to cabbage resulting in reduced yields. This product is available to the end user/grower solely to the extent that the benefit and utility, in the opinion of the end user/grower, outweigh the extent of potential injury associated with the use of this product. Due to the risk of crop damage, all such use is at the end user/grower's risk.

# MELON CROP SUBGROUP 9A: CANTALOUPE, MUSKMELON AND WATERMELON

### Melons grown on plastic mulch:

Apply Dual Magnum as a row middle application (between the crop rows) at 0.67 - 1.27 pts/A (0.64 - 1.21 lb ai/A) before crop emergence or transplanting, before weed emergence, but after the laying of the plastic mulch. If a broadcast application is made according the use directions above, do not make a second application to row middles. For row middle applications, using row and band width measurements in inches, calculate the amount to be applied per acre as follows:

Band width in				Amount of Dual
<u>inches</u>	v	Dual Magnum Rate per acre for a broadcast treatment	_	Magnum needed per
Row width in			=	acre for a row middle
inches				treatment

# Melons grown without plastic mulch:

Apply Dual Magnum as a broadcast, pre-emergence treatment at 0.67 – 1.27 pts/A (0.64 – 1.21 lb ai/A) before crop emergence or before transplanting and before weed emergence. Use the lower end of the Dual Magnum rate range for soils that are relatively coarse textured and the higher rates on fine textured soils.

Dual Magnum may also be applied as a banded application (over the crop row) at 0.67 – 1.27 pts/A (0.64 – 1.21 lb ai/A) before crop emergence or before transplanting and before weed emergence. For band applications, using row and band width measurements in inches, calculate the amount to be applied per acre as follows:

Band width in		Dual Magnum Rate per acre for a broadcast treatment		Amount of Dual
<u>inches</u>	v		_	Magnum needed per
Row width in	^		_	acre for a banded
inches				treatment

**Precautions:** (1) Dual Magnum will not control emerged weeds. Control emerged weeds with an appropriate registered foliar herbicide or by mechanical or physical means. (2) If an activating rainfall (0.5") does not occur within 7-10 days following application, weed control may be reduced. (3) Irrigation water can be applied following the treatment of Dual Magnum to activate the herbicide and improve weed control. (4) The risk of injury to melons is greater with a broadcast pre-emergence application than with a row middle application. (5) In general, the risk of crop injury will be less with transplanted melons than with direct seeded melons. (6) Direct application of Dual Magnum to emerged melon foliage (from seed or transplant) may result in crop injury and illegal residues.

(7) It is recommended not to mechanically incorporate Dual Magnum into the soil as this will increase the risk for crop injury. (8) Muck soils require the higher use rates; however, weed control may still be reduced on muck soil.

**Restrictions:** (1) Do not make more than one application of Dual Magnum per crop per season. (2) Do not apply more than 1.27 pts/A (1.21 lb ai/A) of Dual Magnum per crop per season. (3) Harvest at normal maturity but no closer than 60 days following application.

#### **CUCUMBER**

**Soil Applied:** Apply a single broadcast treatment of Dual Magnum at 0.67 to 1.33 pt./A (0.64 – 1.27 lb ai/A) to the soil surface after planting, but before weeds or crop emerge (i.e., pre-emergence). If a pre-plant application is used, do not incorporate the application and minimize the mixing/incorporation of treated soil into the seed furrow through the planting operations, so as to reduce the risk of crop injury. Within the rate range, use lower rates on soils relatively coarse-textured and higher rates on fine-textured soils. Dual Magnum will not control emerged weeds. Control emerged weeds with an appropriate registered herbicide or by mechanical or physical means.

**Post Applied:** Dual Magnum may be applied post-emergence to cucumber for residual control of grasses and small seeded broadleaf weeds. Apply a single broadcast treatment of Dual Magnum at 0.67 to 1.33 pt./A (0.64 – 1.27 lb ai/A) after cucumbers have at least 1 true leaf. Within the rate range, use lower rates on soils relatively coarse-textured and higher rates on fine-textured soils. Dual Magnum will not control emerged weeds, therefore, emerged weeds must be controlled by cultural or chemical methods.

**Precaution:** The risk of crop injury increases when adjuvants (e.g. non-ionic surfactants, crop oils, etc.), nitrogen sources (e.g. AMS, UAN), fertilizers or other pesticides are applied with Dual Magnum.

**Restrictions:** (1) Do not apply more than 1.33 pts/A (1.27 lb ai/A) of Dual Magnum per crop per season. (2) Make only one application per crop. (2) Do not harvest within 30 days of application.

#### **GARLIC**

Apply a broadcast application of Dual MAGNUM at 0.67-1.33 pts./A postemergence at the two true-leaf stage of the dry bulb onions. In that rate range, use lower rates on soils relatively coarse-textured and higher rates on fine-textured soils. A band application may also be used, applying proportionally less spray mixture on the area actually treated. Make uniform applications in a minimum of 15 gallons of water per treated acre. Dual MAGNUM will not control emerged weeds. Control emerged weeds with an appropriate registered foliar herbicide or by mechanical or physical means. On muck soils (organic matter content greater than 5%) one additional treatment may be applied three to four weeks after the first treatment, if needed.

<u>Precautions</u>: (1) There is risk of crop injury from the use of Dual MAGNUM on dry bulb onions. In general, the risk of crop injury is greater on lighter textured soils and with higher application rates. (2) The use of a spray adjuvant, or the addition of another registered herbicide as a tank mixture with Dual MAGNUM, will increase the risk of crop injury.

<u>Restrictions</u>: (1) Make only one application per crop. (2) Do not harvest within 60 days of application or illegal residues may result.

<u>Note</u>: Applications of Dual MAGNUM may cause significant injury to dry bulb onions resulting in reduced yields. This product is available to the end user/grower solely to the extent that the benefit and utility, in the opinion of the end user/grower, outweigh the extent of potential injury associated with the use of this product. Due to the risk of crop damage, all such use is at the end user/grower's risk.

#### **HIGHBUSH BLUEBERRY**

Apply Dual Magnum as a banded treatment to both sides of the blueberry row at 0.67 - 1.3 pts/A (0.64 - 1.26 lb ai/A) prior to weed emergence. The application should be directed to the soil surface in a 3 foot band on each side of the blueberry row to avoid direct contact with the crop foliage or crop injury may occur. When making the banded treatment, apply proportionally less spray mixture on the area actually treated. Use the lower end of the Dual Magnum rate range for soils that are relatively coarse textured and higher rates on fine textured soils.

**Precautions:** (1) Dual Magnum will not control emerged weeds. Control emerged weeds with an appropriate registered foliar herbicide or by mechanical or physical means. (2) Not all blueberry cultivars have been tested so injury may occur on some types of blueberry. Growers are encouraged to treat a few plants as a test and evaluate crop injury. (3) The risk of crop injury from Dual Magnum is greater at the higher use rates. (4) Blueberry plants that have been established for less than one year may be more sensitive to applications of Dual Magnum than those plants established for more than one year. For this reason, the lower rates are suggested on newer plantings. (5) Tank mixing Dual Magnum with other products (pesticides, adjuvants, etc.) will increase the risk for foliar crop injury.

**Restrictions:** (1) Do not make more than one application per crop per season. (2) Do not apply more than 1.33 pts/A (1.27 lb ai/A) of Dual Magnum per crop. (3) Do not harvest for 28 days following the Dual Magnum application

#### LEAFY BRASSICA GREENS CROP SUBGROUP 5B

Mustard Greens, Broccoli (raab), Chinese cabbage (bok choy), collards, kale, mizuna, mustard greens, mustard spinach, and rape greens

**Soil Applied:** Apply a single broadcast treatment of Dual Magnum at 0.67 to 1.33 pt./A (0.64 – 1.27 lb ai/A) to the soil surface after planting, but before weeds or crop emerge (i.e., pre-emergence). If a pre-plant application is used, do not incorporate the application and minimize the mixing/incorporation of treated soil into the seed furrow through the planting operations, so as to reduce the risk of crop injury. Within the rate range, use lower rates on soils relatively coarse-textured and higher rates on fine-textured soils. Dual Magnum will not control emerged weeds. Control emerged weeds with an appropriate registered herbicide or by mechanical or physical means.

**Post Applied:** Dual Magnum may be applied post-emergence to leafy brassica greens for residual control of grasses and small seeded broadleaf weeds. Apply a single broadcast treatment of Dual Magnum at 0.67 to 1.33 pt./A (0.64 – 1.27 lb ai/A) after mustard greens have at least 1 true leaf. Dual Magnum will not control emerged weeds, therefore, emerged weeds must be controlled by cultural or chemical methods.

**Precaution:** The risk of crop injury increases when adjuvants (e.g. non-ionic surfactants, crop oils, etc.), nitrogen sources (e.g. AMS, UAN), fertilizers or other pesticides are applied with Dual Magnum.

**Restrictions:** (1) Do not apply more than 1.33 pts/A (1.27 lb ai/A) of Dual Magnum per crop. (2) Make only one application per crop. (2) Do not harvest within 30 days of application.

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