Emergency Exemption for Post-Emergence Weed Control in Double-Cut Mint Only (Spearment and Peppermint)

For Distribution and Use Only Within the State of Oregon
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 Oregon 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 June 20, 2018 and expires on August 10, 2018. Use outside of these dates is a violation of Federal law.

Ingredients:
Active Ingredient:
Pyridate: O-(6-chloro-3-phenyl-4-pyridazinyl)-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: 18OR01

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.)
BELCHIM CROP PROTECTION AND ENGAGE AGRO USA LLC 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 AND ENGAGE AGRO USA LLC RECOMMENDS THAT THE USER AND/OR GROWER TEST THIS PRODUCT IN ORDER TO DETERMINE ITS SUITABILITY FOR SUCH INTENDED USE. BELCHIM CROP PROTECTION AND ENGAGE AGRO USA LLC 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.
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 recommended) 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.

A maximum of 5,200 acres of mint may be treated in the following counties of the Willamette Valley, Central, Eastern, and Southern Oregon: Marion, Polk, Yamhill, Clackamas, Linn, Baker, Benton, Lane, Malheur, Crook, Union, Umatilla, Morrow, Harney, Lake, Deschutes, and Klamath.

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 Oregon Department of Agriculture.

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

Registrant & Manufactured For: Belchim Crop Protection NV/SA
Technologielaan 7
1840 Londerzeel
Belgium

Distributed by: Belchim Crop Protection US Corporation
2751 Centerville Road
Wilmington, DE 19808
Phone: 855-445-7990
FOR DISTRIBUTION AND USE ONLY WITHIN THE STATES WHERE EMERGENCY EXEMPTION PURSUANT TO SECTION 18 OF FIFRA HAS BEEN APPROVED BY EPA.

This label must be in possession of the user at the time of pesticide application. It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire Directions for Use and Disclaimer of Warranties before using this product.

Effective period: Follow the state specific Section 18 labeling. Use outside of these dates is a violation of Federal law.

This product can only be used when in possession of the state specific Section 18 labeling.

HERBICIDE FOR THE POSTEMERGENCE CONTROL OF ANNUAL WEEDS

Active Ingredient:
Pyridate: O-(6-chloro-3-phenyl-4-pyridazinyl)-S-octyl-carbonothioate 55.8%
Other Ingredients: 44.2%
Total: 100.0%

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

Produced for

Distributed by:
Engage Agro USA, LLC
118 E. Carleton Street, Suite B
Prescott, AZ 86303
Phone: 928-445-7990

EPA File Symbol: Refer to the state specific EPA Authorization Letter or Section 18 labeling.
EPA Est. 5481-ID-001

NET CONTENTS: 2.5 GAL(S)
U.S. Standard Measure
(Batch)(Lot) No: SEC18-2017
**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.)

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**FIRST AID**

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

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

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

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

**NOTE TO PHYSICIAN**
Contains petroleum distillate - vomiting may cause aspiration pneumonia.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

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**HOT LINE NUMBER**
For Hazardous Materials [or Dangerous Goods] Incident
Spill, Leak, Fire, Exposure, or Accident
Call CHEMTREC Day or Night
1-800-424-9300 CCN801061
PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING / AVISO

Causes substantial but temporary eye injury. Causes skin irritation. Harmful if absorbed through skin. Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Do not get in eyes, on skin or on clothing. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category G on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as viton or barrier laminate
- Shoes plus socks
- Protective eyewear

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

User Safety Recommendations

Users should:

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

Do not contaminate water intended for irrigation or domestic purposes. Runoff may adversely affect non target plants. 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 by cleaning of equipment or disposal of equipment wash water or rinse. This pesticide is toxic to estuarine organisms.

Groundwater Advisory

This chemical has properties and characteristics associated with chemicals detected in groundwater. This chemical may leach into groundwater if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory

This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water.

This product is classified as having high potential for reaching surface water via runoff for several days after application. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential loading of the product from runoff water and sediment. Runoff of this product will be reduced by avoiding applications when rainfall or irrigation is expected to occur within 48 hours.

Physical or Chemical Hazards

Keep away from heat or open flame.
DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ THE ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

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

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of the agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about Personal Protective Equipment (PPE) and restricted-entry interval. The requirements in this box only apply to the 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
- Chemical-resistant gloves such as viton or barrier laminate
- Shoes plus socks
- Protective eyewear

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

PRODUCT INFORMATION

Tough™ 5EC is a selective herbicide for post-emergence control or suppression of actively growing annual broadleaf weeds. Tough™ 5EC is recommended to be used sequentially with other herbicides as part of a complete weed control program.

Tough™ 5EC is an emulsifiable concentrate formulation containing 5 lb. of pyridate per gallon of product.

Biological activity: Tough™ 5EC is a contact herbicide that is absorbed rapidly by the leaves of plants. Tough™ 5EC does not offer any residual weed control. Therefore, weeds must have emerged at the time of application. Symptoms in sensitive weeds are evidenced by marginal yellowing, which is followed by yellowing and browning of the entire leaf, usually occurring within 4-7 days after application. Activity is more rapid at higher temperatures and under good growing conditions. Weed control under adverse conditions such as drought, low temperatures, etc. may be decreased. Rainfall or irrigation occurring 1-2 hours after application of Tough™ 5EC has little effect on the degree of control.

GENERAL USE INSTRUCTIONS

Tough™ 5EC is noncorrosive to spray equipment. Before preparing spray mixture, be sure all equipment is clean to prevent uneven applications, clogging of spray nozzles, or crop injury.

Apply Tough™ 5EC with a boom sprayer calibrated to a constant speed and constant, uniform delivery.

Tough™ 5EC should be applied in sufficient water (20 gals./A minimum; 20-40 gals./A recommended), at a pressure of 30-40 psi to ensure proper coverage. Thorough coverage of target weeds is required for optimum results. Use higher spray volumes when treating dense or tall vegetation. Large crop and weed canopies can shelter smaller weeds. Directed applications below large crop canopies are recommended for optimum coverage of target weeds.
For optimum control of broadleaved weeds, apply Tough™ 5EC 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 proper application stage may result in decreased control. If weeds are under stress and not actively growing, they will be more difficult to control. Scout fields often to determine the exact timing for application. If treatments must be made under adverse conditions or to larger weeds, do not use a reduced dose rate. Cultivation may be necessary after application if all weeds are not properly controlled or if weeds regrow. Tough™ 5EC rapidly decomposes in soil and has no residual activity. DO NOT plant rotational crops other than the treated crop within 30 days of the last application of Tough™ 5EC. No crop rotation restriction exists following normal harvest of the treated mint after the 49 day PHI.

Restrictions:

(1) DO NOT apply by air
(2) DO NOT apply this product when wind conditions will allow drift to adjacent susceptible vegetation.
(3) DO NOT allow livestock to graze on treated fields.
(4) 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.

Chemigation:
DO NOT apply this product through any type of irrigation system.

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

Pesticide storage
Do not subject to temperatures below 32 degrees F. Store product in original container only in a location inaccessible to children and pets. Do not contaminate water, other pesticides, fertilizer, food or feed in storage. Not for use or storage in or around the home.

Pesticide disposal
To avoid waste, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program.

Container disposal
For plastic containers less than or equal to 5 gallons: Non refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinse into application equipment or a mix tank or store rinse for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration.
WARRANTY AND LIMITATION OF DAMAGES
To the extent consistent with applicable law, Belchim Crop Protection NV. warrants only that this product conforms to the product description on the label. Except as warranted by this label, Belchim Crop Protection NV makes no representation or warranty or guarantee, whether express or implied, of fitness for a particular purpose, use or merchantability, or of product performance. Belchim Crop Protection NV does not authorize any agent or representative to make any such representation, warranty or guarantee.
To the extent consistent with applicable law, Belchim Crop Protection NV’s liability for breach of its warranty or for use of this product, regardless of the form of action, shall be limited to the purchase price of this product. To the extent consistent with applicable law, buyer and user acknowledge and assume all risks and disposal liability resulting from handling, storage, use and disposal of this product. If buyer or user does not agree with or accept these warranty and liability limitations, buyer or user shall return the unopened container to the place of purchase for full refund. Use of this product shall constitute conclusive evidence of acknowledgement and acceptance of the forgoing limitations. The purchase, delivery and acceptance of this product are subject to the terms and conditions of the parties’ Liability and Indemnification Agreement for the Use of Tough™ 5 EC Herbicide.

NOTICE TO BUYER: Purchase of this material does not confer any rights under patents of countries outside of the United States.