



DuPont™ Uppercut™

fungicide

DRAFT LABEL



“..... A Growing Partnership With Nature”



DuPont™ Uppercut™

fungicide

For use on Soybean to control Rust (*Phakopsora pachyrhizi*)

SECTION 18 QUARANTINE EXEMPTION

File Symbol:

FOR DISTRIBUTION AND USE ONLY IN THE STATE OF _____

UNDER SECTION 18 QUARANTINE EXEMPTION

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

Any adverse effects resulting from the use of UPPERCUT™ fungicide under this quarantine exemption must be immediately reported to the State of _____

EFFECTIVE PERIOD:

This label becomes effective ____ and expires on ____

A maximum of 3 total applications using approved Section 18 products collectively will be made under this soybean rust Section 18.

A maximum of __ million acres of soybeans may be treated under this exemption.

<i>Active Ingredient</i>	<i>By Weight</i>
Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol	38.7%
<i>Inert Ingredients</i>	61.3%
TOTAL	100.0%

Contains 3.6 pounds tebuconazole per gallon

EPA Reg. No.: 264-752-352

EPA Est. No.:

Net Contents:

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

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 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.

FIRST AID (cont'd)

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

For medical emergencies involving this product, call toll free 1-800-441-3637. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

Note To Physician: No specific antidote. Treat symptomatically.

Symptoms of Poisoning: The compound does not cause any definite symptoms that would be diagnostic. Contact with the eyes may cause irritation.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes, and clothing. Avoid breathing vapor or spray mist.

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 C 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 barrier laminate, or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton
- Shoes plus socks

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.

ENGINEERING CONTROL STATEMENTS:

When handlers use closed systems, enclosed cabs, or aircraft 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.

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.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to freshwater, estuarine and marine fish and invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

Read entire Directions for Use and Disclaimer of Warranties before using this product.

DIRECTIONS FOR USE

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

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.

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 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 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 12 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 barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton
- Shoes plus socks

RECOMMENDED APPLICATIONS

Crop	Diseases	Rate of UPPERCUT™
Soybean	Rust (<i>Phakopsora pachyrhizi</i>)	3 to 4 fl oz per acre

Use Directions: Apply UPPERCUT™ as a broadcast foliar spray prior to or at first appearance of rust pustules on any leaves within the plant canopy. Repeat applications on a 10- to 21-day spray interval if environmental conditions are favorable for continued disease development. Use of the higher rates and shorter spray intervals are recommended when disease pressure is severe. Use of adjuvants may enhance the performance of UPPERCUT™. If utilized, apply the lowest labeled rate of the adjuvant to enhance disease control. UPPERCUT™ should be applied in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons per acre by aircraft spray equipment.

Restrictions: Applications may not be made within 30 days of harvest. Do not apply more than 8 fl. oz/A per use season. Do not enter treated fields for 12 hours after application. Do not feed soybean forage or hay to livestock.

Do not make more than 2 applications of tebuconazole-containing products to soybeans per season. Do not apply more than 0.225 pounds of the active ingredient tebuconazole per acre per year. A maximum of three total applications using approved section 18 products collectively are allowed under this soybean rust section 18.

Spray Volume: UPPERCUT™ may be applied in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Check equipment calibration frequently. Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the spray volume per acre for complete crop coverage.

Chemigation: Do not apply this product through any type of irrigation system.

Mixing: Add recommended amount of UPPERCUT™ into the spray tank while filling with water to the desired level. Operate the agitator while mixing. If other materials are added to the spray tank, the UPPERCUT™ should be thoroughly dispersed prior to the addition of other materials.

Compatibility: To determine the compatibility of UPPERCUT™ with other products, the following procedure should be followed: Pour the recommended proportions of the products into a suitable container of water, mix thoroughly and allow to stand at least five (5) minutes. If the combination remains mixed or can be re-mixed readily, the mixture is considered physically compatible. For further information contact your local DuPont UPPERCUT™ representative.

OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS, MARSHES OR NATURAL PONDS, AND ESTUARIES.

Apply only during alternate years in fields adjacent to aquatic areas listed above.

Do not apply by ground or air within 100 feet of aquatic areas listed above.

Do not cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

Spray Drift Management: For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wing span or rotor diameter.

Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure. Apply in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment.

Spray should be released at the lowest possible height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Make aerial or ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.

Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on this label as soon as practical after last application. Any crop not specified on this label may be planted into treated areas 120 days after last application.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If container is leaking invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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FILE SYMBOL:

**LIMITATION OF
WARRANTY AND LIABILITY**

NOTICE: Read This Limitation of Warranty and Liability Before Buying or Using This Product. If the Terms Are Not Acceptable, Return the Product at Once, Unopened, and the Purchase Price Will Be Refunded.

It is impossible to eliminate all risks associated with the use of this product. Such risks arise from weather conditions, soil factors, off target movement, unconventional farming techniques, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont. These risks can cause: ineffectiveness of the product; crop injury, or; injury to non-target crops or plants.

DuPont does not agree to be an insurer of these risks. **WHEN YOU BUY OR USE THIS PRODUCT, YOU AGREE TO ACCEPT THESE RISKS.**

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BUYER'S OR USER'S BARGAINED-FOR EXPECTATION IS CROP PROTECTION. THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT, OR AT THE ELECTION OF DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

DuPont or its Ag Retailer must have prompt notice of any claim so that an immediate inspection of buyer's or user's growing crops can be made. Buyer and all users shall promptly notify DuPont or a DuPont Ag Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise or be barred from any remedy.

This Limitation of Warranty and Liability may not be amended by any oral or written agreement.

For product information call: 1-888-6-DUPONT

Internet address: www.cropprotection.dupont.com

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