

August 5, 2019

SFIREG Dicamba Work Group

XtendiMax® and FeXaPan® With Vapor Grip Technology Label Language Guidance for Field Activities

*This document is intended to provide evidentiary guidance to inspectors and case reviewers for field activities involving RUP dicamba product labels. Pesticide regulatory agencies (State Lead Agencies or SLAs; Tribes; and Territories) should always default to their respective laws, regulations, policies or Standard Operating Procedures for complaint investigations or application monitoring, however, in the absence of other guidance or policies, the State FIFRA Issues Research and Evaluation Group (SFIREG) EPA Dicamba Ad Hoc Work Group has developed the following guidance document.**

LABEL STATEMENTS	EVIDENCE OR DOCUMENTATION
3.1 PPE	
All mixers, loaders, applicators and other handlers must wear: <ul style="list-style-type: none"> • Long-sleeved shirt and long pants • Waterproof gloves • Shoes plus socks 	Document PPE worn or capture in written statement.
3.2 Environmental Hazards	
<ul style="list-style-type: none"> • 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 when disposing of equipment washwaters or rinsate. 	Obtain written statement from applicator, conduct sampling to show application in prohibited areas, or disposal on prohibited sites.
Ground and Surface Water Protection	
<ul style="list-style-type: none"> • Do not mix or load this pesticide product within 50 feet of wells (including abandoned wells and drainage wells), sink holes, perennial or intermittent streams and rivers, and natural or impounded lakes and reservoirs. 	Document by personal observation, written statement or sampling showing chemical residues in prohibited areas.
<ul style="list-style-type: none"> • Do not apply pesticide product within 50 feet of wells. (This setback does not apply to properly capped or plugged abandoned wells and does not apply to impervious pad or properly diked mixing/loading areas) 	See guidance in previous bullet.
<ul style="list-style-type: none"> • Check valves or anti-siphoning devices must be used on all mixing equipment. 	Photograph device or record type and model of equipment.
Movement by surface runoff or through soil	

* While both the XtendiMax and FeXapan labels have nearly identical language, they are formatted differently. XtendiMax uses a numerical index while FeXapan does not.

<ul style="list-style-type: none"> Do not apply under conditions which favor runoff. Do not apply to impervious substrates such as paved or highly compacted surfaces in areas with high potential for ground water contamination. 	Refer to state policy on what conditions favor runoff or result in ground water contamination, as this term may differ from state to state.
<ul style="list-style-type: none"> Do not apply to soils classified as sand with less than 3% organic matter and where ground water depth is shallow 	Document through soil maps what soil classification is for target site, then refer to state policies for definition of the term "shallow".
Movement by water erosion of treated soil	
<ul style="list-style-type: none"> Do not apply or incorporate this product through any type of irrigation equipment nor by flood or furrow irrigation. 	Document by photograph or written statement that pesticide was applied using irrigation equipment.
Endangered Species Concerns	
<ul style="list-style-type: none"> When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. To obtain Bulletins, no more than six months before using this product, consult https://www.epa.gov/espp/ or call 1-844-447-3813. You must use the Bulletin valid for the month in which you will apply the product. 	Verify applicator accessed ESPB website and obtained a Bulletin for the target site within 6 months of the application. Obtain a copy of the printed bulletin applicator retained, or collect written statement that applicator followed the application restrictions published in the Bulletin.
4.1 Training	
<ul style="list-style-type: none"> Prior to applying this product in the 2019 growing season and each growing season thereafter, all applicator(s) applying this product must complete dicamba or auxin-specific training. If training is available and required by the state where the applicator intends to apply this product, the applicator must complete that training. If the state where the application is intended does not require auxin or dicamba-specific training, then the applicator must complete dicamba or auxin-specific training provided by one of the following sources: a) a registrant of a dicamba product approved for in-crop use with dicamba-tolerant crops, or b) a state or state-authorized provider. 	Collect copy of training certificate or document applicator completed dicamba or auxin-specific training prior to applying the product. This may vary from state to state.
4.2 Record Keeping	
<ul style="list-style-type: none"> The certified applicator must keep the following records for a period of two years; 	Obtain copy of application records. Some states may require retention for more than two years.
<ul style="list-style-type: none"> Records must be generated as soon as practical but no later than 72 hours after application and a record must be kept for each application of Xtendimax with VaporGrip Technology. 	See guidance for previous bullet, determine if record was created no more than 72 hours after the application ended.
All Items required by 7 CFR Part 110 including:	
1.	
a. The brand or product name	1: Obtain a copy of application record, receipt/s of purchase (either from applicator or dealer).

<p>b. The EPA registration number</p> <p>c. The total amount applied</p> <p>d. The month, day, and year of application</p> <p>e. The location of the application</p> <p>f. The crop, commodity, stored product, or site of application</p> <p>g. The size of treated area</p> <p>h. The name of the certified applicator</p> <p>i. The certification number of the certified applicator</p> <p>2. Training: Date and provider of required training completed and proof of completion.</p> <p>3. Receipts of Purchase: Receipts or copies for the purchase of this product.</p> <p>4. Product Label: A copy of this product label, and any state special local needs label that supplements this label.</p> <p>5. Crop Planting Date: Record of the date at which the crop was planted.</p> <p>6. Buffer Requirement: Record of the buffer distance calculation and any areas included within the buffer distance calculations as allowed in Section 9.1.4.a.</p> <p>7. Sensitive Crops Awareness: Record that a sensitive crop registry was consulted if available; and survey adjacent fields and documenting the crops/areas surrounding the field prior to application. At a minimum, records must include the name of the sensitive crop registry and the date it was consulted and documentation of adjacent crops/areas and the date the survey was conducted (read Section 9.1.4.b for additional information).</p> <p>8. Start and Finish Times of Each Application: Record of the time at which the application started and the time when the application finished.</p> <p>9. Application Timing: Record of the type of application (for example: pre-emergence, post-emergence) and number of days after planting if post-emergence.</p>	<p>2: Obtain written statement and/or copy of certification or training, or other evidence the applicator completed training before the application was made.</p> <p>3: Obtain copy of receipt from applicator, purchaser or dealer.</p> <p>4: Document by observation or written statement applicator had a copy of the label. Refer to state policy for determination of what satisfies possession of the label.</p> <p>5: Verification most likely lies with producer who planted the field.</p> <p>6: Acceptable evidence would be diagrams or drawings showing buffer distances for the application, or other narrative explaining how buffer distances were established and maintained.</p> <p>7: Obtain copy of application record or other written evidence that surrounding area was surveyed, or sensitive crops locator registry was consulted. Refer to state policy or SFIREG guidance for definition of sensitive crop, site or area.</p> <p>8: Obtain copy of application record; it may be possible to double check application dates and times by looking at previous and subsequent applications.</p> <p>9: Obtain copy of application record, verification most likely lies with producer who planted the field.</p> <p>10: Obtain copy of application record, document the type of measuring device by photograph and written statement, and how the applicator operated it.</p> <p>11: Obtain copy of application record, document the type of measuring device by photograph and written statement, and how the applicator operated it.</p>
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<p>10. Air Temperature: Record of the air temperature in degrees Fahrenheit at the start and completion of each application.</p> <p>11. Wind Speed and Direction: Record of the wind speed and direction (the direction from which the wind is blowing) at boom height at the start and completion of each application of this product (Read Section 9.1.1 for information on wind speed).</p> <p>12. Nozzle and Pressure: Record of the spray nozzle manufacturer/brand, type, orifice size, and operating pressure used during each application of this product (Read Section 9.1.1 for information on nozzles and pressures.)</p> <p>13. Tank Mix Products: Record of the brand names and EPA registration numbers (if available) for all products (pesticides, adjuvants, and other products) that were tank mixed with this product for each application (Read Section 8.0 for more information on tank mixing.)</p> <p>14. Spray System Cleanout: Record of compliance with the section of this label titled Section 9.5: Proper Spray System Equipment Cleanout. At a minimum, records must include the confirmation that the spray system was clean before using this product and that the post-application cleanout was completed in accordance with Section 9.5.</p>	<p>12: Obtain copy of application record, determine by written statement which nozzles were used and whether spray pressure was measured in the cab or at nozzle.</p> <p>13: Obtain copy of application record, make sure to consult the correct iteration of the website posted at the time of the application.</p> <p>14: Obtain copy of application record, written statement, or other evidence of cleanout procedure used by the applicator. Procedure might be different from case to case. Some states have different interpretations for frequency of cleanout for consecutive loads.</p>
<p>5.0 Storage and Disposal</p>	
<ul style="list-style-type: none"> • Storage and Disposal language is similar to most other herbicide labels. 	<p>Photographs or written statements by applicator about how remaining concentrate pesticides are stored and how dilute pesticides are disposed.</p>
<p>6.1 Restrictions</p>	
<ul style="list-style-type: none"> • Do not apply this product aerially. • Do not tank mix with products containing ammonium salts. • Do not apply to crops under stress such as due to lack of moisture, hail damage, flooding, herbicide injury, mechanical injury, insects, or widely fluctuating temperatures. • Do not apply through any type of irrigation equipment 	<p>Obtain application record and/or written statements regarding type of application equipment used.</p> <p>Obtain copy of application record or written statement documenting whether these additives were part of the tank mix.</p> <p>Document through written statements, weather data, visual evidence or other reliable material evidence whether listed stresses were present at time of application, and whether applicator was aware of them.</p> <p>See previous guidance on use of product in irrigation systems. Document by reliable weather data whether rainfall was predicted for application area, how much rainfall was</p>

<ul style="list-style-type: none"> Do not make application of this product if rain that may exceed soil field capacity and result in soil runoff is expected in the next 24 hours. 	<p>predicted, and also whether the rainfall that did fall resulted in soil runoff within 24 hours of the application. Collect written statement from application whether soil conditions favorable for runoff were taken into consideration prior to the application, and whether applicator recorded predicted rainfall totals for the day of application.</p>
<p>7.0 Weed Resistance</p>	
<p>EPA has indicated the language in this section is advisory in nature.</p>	<p>Refer to state policy on documentation of application rates, timing, weed species, weed sizes, tank mixes, field scouting and reporting as it applies to weed resistance management. Some states may have specific policies and obligations for applicators to avoid or prevent weed resistance.</p>
<p>8.0 Tank Mixing</p>	
<ul style="list-style-type: none"> The applicator must check the website found at www.xtendimaxapplicationrequirements.com no more than 7 days before applying XtendiMax® With VaporGrip® Technology. DO NOT tank mix any product with XtendiMax® With VaporGrip® Technology unless: <ol style="list-style-type: none"> The intended tank-mix product is identified on the list of tested products found at www.xtendimaxapplicationrequirements.com; The intended products are not prohibited on either this label or the label of the tank mix product; and All requirements and restrictions on www.xtendimaxapplicationrequirements.com are followed. 	<p>Obtain documentation or a written statement that the applicator accessed the appropriate website within 7 days before the application. Verify the iteration of the website used within 7 days of the application in order to determine if tank mix was allowed at the time of the application.</p>
<ul style="list-style-type: none"> Before mixing components, always perform a compatibility jar test. 	<p>Obtain a written statement from applicator or mixer/loader regarding this step. Refer to state enforcement program for documentation and enforcement response.</p>
<ul style="list-style-type: none"> Always read and follow label directions for all products in the tank mixture. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank mixture 	<p>Obtain copies of all relevant labels and review for most restrictive language. Obtain application records to determine compliance with all label requirements.</p>
<ul style="list-style-type: none"> Mixing order steps 1 – 11. 	<p>Refer to state enforcement program for documentation and enforcement response.</p>
<p>9.0 Application Equipment</p>	
<ul style="list-style-type: none"> Apply this product using properly maintained and calibrated equipment capable of delivering the required volumes. 	<p>Obtain written statement from applicator to determine how the equipment was calibrated. Refer to state enforcement program for documentation and enforcement response.</p>

	Some states may have specific definitions for what they consider “proper” maintenance and calibration.
<ul style="list-style-type: none"> • Do not cultivate within 7 days after applying this product. 	Obtain written statement from applicator or producer on when cultivation occurred after application.
9.1 Spray Drift Management	
<ul style="list-style-type: none"> • Do not allow herbicide solution to mist, drip, drift or splash onto desirable vegetation because severe injury or destruction to desirable broadleaf plants could result. 	Collect plant samples from desirable broadleaf plants to determine if herbicide made contact. Refer to state policies on what constitutes “desirable” vegetation, since some states may differ.
9.1.1 Sprayer set up: <ul style="list-style-type: none"> • Nozzle type. The applicator must use an approved nozzle within a specified pressure range as found at www.xtendimaxapplicationrequirements.com when applying XtendiMax® With VaporGrip® Technology. • Spray Volume. The applicator must apply this product in a minimum of 15 gallons of spray solution per acre. • Equipment Ground Speed. Do not exceed a ground speed of 15 miles per hour. • Spray boom Height. Do not exceed a boom height of 24 inches above target pest or crop canopy. • Wind Speed. Do not apply when wind speeds are less than 3 MPH or greater than 10 MPH. Only apply when wind speed at boom height is between 3 and 10 mph. 	<p>Document through personal observation, application records or written statement about what nozzle type was used, what finished spray volume was applied, what the equipment ground speed was, what the spray boom height was, and what the wind speed was at the time of the application. For nozzle type, determine which iteration of the website was current during the application.</p> <p>Determine whether equipment is capable of lowering the entire boom to 24” above crop height, document by photograph and measuring tool.</p> <p>Obtain reliable weather data to determine wind speed at time of the application.</p>
Temperature and Humidity <ul style="list-style-type: none"> • When making applications in low relative humidity or temperatures above 91 degrees Fahrenheit, set up equipment to produce larger droplets to compensate for evaporation (for example: increase orifice size and/or increase spray volume as directed on www.xtendimaxapplicationrequirements.com). 	Obtain written statement from applicator and refer to state policy on how spray equipment should be set up to compensate for spray droplet evaporation, as this may vary from state to state.
<ul style="list-style-type: none"> • Do not apply this product during a temperature inversion. 	Refer to state policy on what constitutes a temperature inversion, since this could vary from state to state.
<ul style="list-style-type: none"> • Applications of this product may ONLY occur one hour after sunrise though two hours before sunset. 	Obtain copy of application record, consider NOAA solar calculator for determining times of sunset and sunrise for application site.
9.1.4.a. Buffer Requirements	

<ul style="list-style-type: none"> Do not apply under circumstances where drift may occur to food, forage, or other plantings that might be damaged or the crops rendered unfit for sale, use, or consumption. 	Refer to state policy on what conditions or circumstances cause drift that meet the standards of this label statement.
<ul style="list-style-type: none"> The applicator must always maintain a 110 foot downwind buffer (when applying up to 22 fluid ounces of this product per acre) or a 220 foot downwind buffer (when applying greater than 22 up to 44 fluid ounces of this product per acre) between the last treated row and the nearest downwind field edge (in the direction the wind is blowing). 	Obtain application records, applicator written statement or other field evidence (such as visual damage to sensitive plants or samples showing detection of chemical residues) to determine buffer distance maintained.
<ul style="list-style-type: none"> The following areas may be included in the buffer distance calculation when directly adjacent to the treated field edges: (Roads and mowed/managed areas, fields, dicamba tolerant crops, buildings and other structures) 	Obtain written statement, application record and/or visual evidence of areas used to calculate buffer distance.
9.1.4.b. Sensitive Crops	
<ul style="list-style-type: none"> Do not apply this product when the wind is blowing toward adjacent non-dicamba tolerant sensitive crops; this includes NON-DICAMBA TOLERANT SOYBEAN AND COTTON. 	Obtain reliable weather records for date, time and close location for target site. Consider using multiple nearby weather stations to verify data. Refer to state policy on what is considered “adjacent non-dicamba tolerant sensitive crops”, since this could vary from state to state.
<ul style="list-style-type: none"> If wind direction shifts such that the wind is blowing toward adjacent non-dicamba tolerant sensitive crops, the applicator must cease the application. 	Obtain application records, written statement or other evidence (such as nearby weather station data) that indicate what wind direction was throughout the application period. Determine if applicator recorded wind shifts during application.
<ul style="list-style-type: none"> Before making an application, consult a sensitive crop registry (such as FieldWatch); and survey adjacent fields and confirm the crops/areas surrounding the field prior to application. At a minimum, records must include the name of the sensitive crop registry and the date it was consulted and documentation of adjacent crops/areas and the date they survey was conducted. 	Obtain written statement or other documentation showing applicator consulted sensitive crop registry or conducted field survey.
9.1.5 Application Awareness	
<ul style="list-style-type: none"> The interaction of equipment and weather related factors must be monitored to maximize performance and on-target spray deposition. The applicator is responsible for considering all of these factors when making a spray decision. 	Collect written statement from applicator or other eye witness that equipment and weather related factors were monitored during the application.
9.2 – 9.4 Ground Application (Banding, Broadcast, Wipers)	

<p>Appropriate application rate, amount of water, application equipment/nozzles, depending on Banding, Broadcast, Wipers</p>	<p>Collect application records and written statement from applicator, refer to state policy on what is considered “appropriate” since this can vary from state to state.</p>
<p>9.5 Spray System Cleanout You must ensure that the spray system used to apply this product is clean before using this product. Clean equipment immediately after using this product, using a triple rinse procedure as follows:</p> <ol style="list-style-type: none"> 1. After spraying, drain the sprayer (including boom and lines) immediately. Do not allow the spray solution to remain in the spray boom lines overnight prior to flushing. 2. Flush tank, hoses, boom and nozzles with clean water. If equipped, open boom ends and flush. 3. Inspect and clean all strainers, screens and filters. 4. Prepare a cleaning solution with a commercial detergent or sprayer cleaner or ammonia according to the manufacturer’s directions. 5. Take care to wash all parts of the tank, including the inside top surface. Start agitation in the sprayer and thoroughly recirculate the cleaning solution for at least 15 minutes. All visible deposits must be removed from the spraying system. 6. Flush hoses, spray lines and nozzles for at least 1 minute with the cleaning solution. 7. Remove nozzles, screens and strainers and clean separately in the cleaning solution after completing the above procedures. 8. Drain pump, filter and lines. 9. Rinse the complete spraying system with clean water. 10. Clean and wash off the outside of the entire sprayer and boom. 11. All rinse water must be disposed of in compliance with local, state, and federal guidelines. 	<p>Obtain written statement from applicator or other employee and application records. Refer to state policy on frequency of cleanout for compliance with label. Some states may require cleanout before and after each and every load, others may require cleanout before the first dicamba load and then again only before the tank mix changes.</p>
<p>10.0 Additional Restrictions</p> <ul style="list-style-type: none"> • Ensure that the total use of dicamba (pounds acid equivalents) does not exceed 2 pounds/A per year from all applications. 	<p>Collect all application records for field for entire use season.</p>
<p>Crop Specific Directions</p> <ul style="list-style-type: none"> • Rate: e.g., Apply 11-22 fluid ounces of XtendiMax® With VaporGrip® Technology; • Timing: e.g., Early season applications to fall-seeded triticale must be made prior to the jointing stage. Early season applications to spring-seeded triticale must be made before triticale reaches the 6-leaf stage. 	<p>Obtain application records and written statements from applicator. Obtain statement from producer, agronomist or other knowledgeable person about growth stage of crop to determine if application was made after crop stage was reached.</p>

<ul style="list-style-type: none">• Maximum: Do not exceed XX per acre, per year	
<p>Crop Specific Directions</p> <p>Examples:</p> <ul style="list-style-type: none">• Do not harvest prior to 24 hours after treatment.• Allow a minimum of 7 days between treatment and harvest.• Do not use preharvest-treated wheat for seed unless a germination test is performed on the seed with an acceptable result of 95% germination or better.	<p>Obtain application records and written statement from applicator and producer to determine when application and harvest occurred. Obtain statement from producer and seed test to determine compliance with germination of seed crop, if this is a focus of the investigation.</p>