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DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
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COMMISSIONER

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DIRECTOR

MEMORANDUM

Date: December 5, 2013
To: Board Members
From: Henry Jennings
Subject: Update on Persistent Herbicide Incident

In June of 2013, the Board's office was contacted by Eric Sideman of the Maine Organic Farmers and Gardeners Association who expressed concern about aminopyralid persisting in hay, manure and compost and resulting in plant injury for Maine vegetable growers. Subsequently, an anonymous vegetable grower called the Board's office to relay an incident affecting his vegetable crops that apparently began with hay that he purchased for his livestock. He later used compost from the manure in his vegetable plantings which caused the plant injury. The caller asked whether there were laws in place that should have prevented the incident and was interested in making sure that other growers did not have a similar experience. The Board's staff has also been involved in a similar issue arising from municipal compost in which lawn clippings, which had been treated with clopyralid, was the likely source of residues.

Similar issues have arisen in other states and Dow AgroSciences has been working with EPA for a few years to implement measures to prevent further instances. Current product labels prohibit the use of the manure for compost and contain a large pictogram indicating that movement of treated hay or manure from the farm on which it originates is prohibited. However, pesticide label language is generally thought to regulate activities of the pesticide applicator, and the pesticide applicator was not the person who sold hay for use on other farms or moved it off-site.

Our current understanding is that Dow is in the process of implementing label changes that will prohibit the use of aminopyralid in the Northeast states for agricultural purposes. In addition, Dow has taken measures to remove aminopyralid products from the supply chain in the Northeast. These measures make take a couple of years to be fully implemented; during that time, vegetable growers are advised to exercise caution when obtaining hay or manure from other sources unless they can verify that aminopyralid was not used.

Specimen Label



ForeFront[®] HL

Specialty Herbicide

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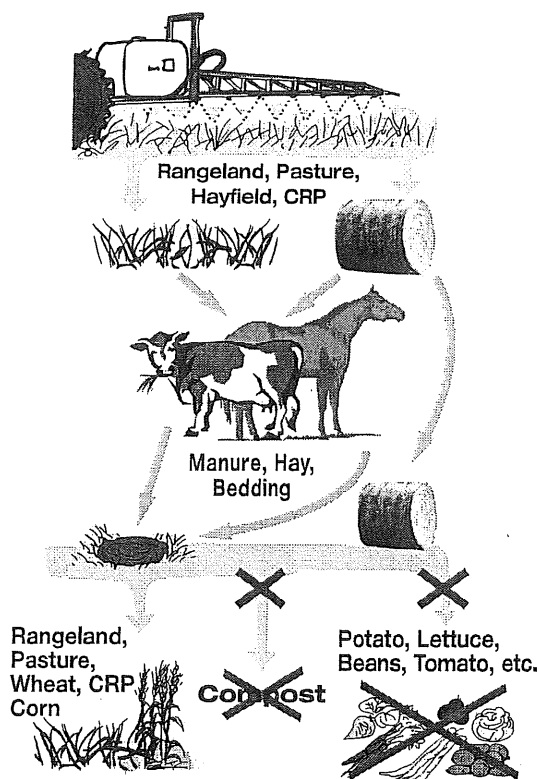
For control of susceptible weeds and certain woody plants on rangeland, permanent grass pastures (including grasses grown for hay*), Conservation Reserve Program (CRP) acres, and non-irrigation ditch banks

*Hay from grass treated with ForeFront HL within the preceding 18-months can only be used on the farm or ranch where the product is applied unless allowed by supplemental labeling

IMPORTANT USE PRECAUTIONS AND RESTRICTIONS TO PREVENT INJURY TO DESIRABLE PLANTS

- Carefully read the section "*Restrictions in Hay or Manure Use*."
- It is mandatory to follow the "*Use Precautions and Restrictions*" section of this label.
- Manure and urine from animals consuming grass or hay treated with this product may contain enough aminopyralid to cause injury to sensitive broadleaf plants.
- Hay can only be used on the farm or ranch where product is applied unless allowed by supplemental labeling.
- Consult with a Dow AgroSciences representative if you do not understand the "Use Precautions and Restrictions". Call [1-(800) 263-1196] Customer Information Group.

Forage and Manure Management



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Not For Sale, Distribution, or Use in New York State.

Group	4	HERBICIDE
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Active Ingredient:

Triisopropanolammonium salt of 2-pyridine carboxylic acid, 4-amino-3,6-dichloro-.....	8.24%
Dimethyl amine salt of (2,4-dichlorophenoxy) acetic acid.....	41.26%
Other Ingredients	50.50%
Total	100.00%

Acid Equivalents:

aminopyralid (2-pyridine carboxylic acid, 4-amino-3,6-dichloro-) -	4.28% - 0.41 lb/gal (50 g/L)
2,4-D [(2,4-dichlorophenoxy) acetic acid] -	34.25% - 3.33 lb/gal (400 g/L)

Precautionary Statements

Hazard to Humans and Domestic Animals

EPA Reg. No. 62719-630

DANGER

Corrosive • Causes Irreversible Eye Damage • Harmful if Swallowed
Do not get in eyes or on clothing.

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 A on an EPA chemical resistance category selections chart.