



DEPARTMENT of AGRICULTURE
STATE OF MISSOURI

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*Serving, promoting and protecting the agricultural producers, processors
and consumers of Missouri's food, fuel and fiber products.*

July 13, 2017

MISSOURI DEPARTMENT OF AGRICULTURE
NOTICE of RELEASE from
STOP SALE, USE, OR REMOVAL ORDER

RE: Issuance of **Notice of Release** from Statewide Stop Sale, Use or Removal Order for **ENGENIA™ Herbicide, EPA Reg. No. 7969-345; XTENDIMAX™ Herbicide with VaporGrip™ Technology, EPA Reg. No. 524-617; and FEXAPAN™ Herbicide Plus VaporGrip™ Technology, EPA Reg. No. 352-913.**

The Missouri Department of Agriculture (MDA) Bureau of Pesticide Control hereby issues a release of ENGENIA, EPA Reg. No. 7969-345; XTENDIMAX, EPA Reg. No. 524-617; and FEXAPAN, EPA Reg. No. 352-913, for sale and use statewide in all Missouri counties. Under Section 24c of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Department has approved Special Local Need (SLN) registrations and labels with additional use restrictions. These restrictions are found on the **ENGENIA Section 24c SLN label MO-17-0003; XTENDIMAX Section 24c SLN label MO-17-0002; and FEXAPAN Section 24c SLN label MO-17-0004.** These Special Local Need registrations and labels will expire on Dec. 1, 2017.

This Notice of Release allows BASF, Monsanto and DuPont, and their respective agents (distributors and retailers), to resume the sale and distribution of ENGENIA, EPA Reg. No. 7969-345; XTENDIMAX, EPA Reg. No. 524-617; and FEXAPAN, EPA Reg. No. 352-913, statewide under the recently approved Special Local Need (SLN) registrations. As required by 40 CFR Part 162, the SLN labels MO-17-0003 (ENGENIA); MO-17-0002 (XTENDIMAX); and MO-17-0004 (FEXAPAN) must accompany the labeling from the federally registered product at the time of sale and distribution. The Department is also requiring BASF, Monsanto and DuPont, and their respective agents, to make available the ENGENIA, XTENDIMAX and FEXAPAN SLN labels to all agricultural pesticide users (certified commercial applicators, certified noncommercial applicators, certified public operators and private applicators) who already possess ENGENIA, EPA Reg. No. 7969-345; XTENDIMAX, EPA Reg. No. 524-617; and FEXAPAN, EPA Reg. No. 352-913.

All agricultural pesticide users must have in their possession at the time of application a copy of the ENGENIA SLN label MO-17-0003, XTENDIMAX SLN label MO-17-0002, or FEXAPAN SLN label MO-17-0004. Failure to follow all restrictions found on the SLN labels is a violation of state and federal law and is subject to enforcement action.

Section 281.101.2 RSMo states in part, "It shall be unlawful to recommend for use, to use, or to supervise the use of any pesticide in a manner inconsistent with its labeling required by labeling requirements of FIFRA, Missouri Pesticide Use Act, or Missouri Pesticide Registration Act."

This Notice of Release ONLY applies to the sale, distribution and use of ENGENIA, EPA Reg. No. 7969-345 – SLN No. MO-17-0003; XTENDIMAX, EPA Reg. No. 524-617 – SLN No. MO-17-0002; and FEXAPAN, EPA Reg. No. 352-913 – SLN No. MO-17-0004. The Department's statewide SSURO will remain in effect until Dec. 1, 2017, for all other Dicamba containing products labeled for agricultural use.

Chris Chinn
Director of Missouri Department of Agriculture

July 13, 2017
Date