

**EXHIBIT**

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# Tennessee: Dicamba – No State Restrictions, Follow Federal Guidelines

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From the Tennessee Department of Agriculture



Loading herbicide. ©Debra L Ferguson Stock Photography

The Tennessee Department of Agriculture is advising soybean and cotton farmers to follow federal guidelines when applying pesticides containing dicamba approved for “over-the-top” use.

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Dicamba products are commonly used to control weeds in soybean and cotton fields. Each product includes an extensive and detailed label outlining the requirements for use. Applicators must follow the label directions precisely to be in compliance with the law.

In October, EPA extended the registration of new formulation dicamba products for two years and announced new label requirements. As a result, Tennessee will not seek an additional special needs label for the next planting season.

“We have reviewed EPA’s new label requirements and have determined that they address—and in some cases, exceed—the steps we have taken in Tennessee to help farmers use these products responsibly,” Agriculture Commissioner Jai Templeton said.

“We will not seek additional restrictions. Instead, we will focus on helping producers comply, while promoting commonsense practices to further protect sensitive areas.”

The U.S. Environmental Protection Agency (EPA) is emphasizing the following *new* label requirements for dicamba applicators:

- Only certified applicators may apply dicamba over the top of growing plants.
- Over-the-top application on soybeans is prohibited 45 days after planting and prohibited for cotton 60 days after planting.
- For cotton, the number of over-the-top applications is limited to two.

- Applications are allowed only from one hour after sunrise to two hours before sunset.
- The 110-foot downwind buffer applies to all applications. However, in counties where threatened or endangered species may exist, the downwind buffer will remain at 110 feet and there will be a new 57-foot buffer around the other sides of the field.

Tennessee counties that include the additional buffer are Chester, Davidson, Franklin, Grundy, Madison, Maury, McNairy, Montgomery, Polk, Rutherford, and White. Due to the presence of particular endangered species, pesticides containing dicamba cannot be sprayed in Wilson County. To learn more about the various protected species and for more information, applicators should consult the product label.

Under the new federal guidelines, application of dicamba is expected to be significantly limited by mid-season in Tennessee based on historical crop planting schedules. This eliminates the need for a state cut-off date, which Tennessee implemented the past two years.

The new label also includes improved tank cleaning instructions, clarification of the training period, and enhanced explanation to improve applicator awareness of potential volatility of the pesticide.

In addition, new state rules took effect this year restricting the use of older formulations of dicamba products and increasing civil penalties. Those rules are outlined on the [Dicamba Resources webpage](#).

Agricultural inputs inspectors with TDA will conduct application reviews in the field to confirm that applicators are following the label requirements, with emphasis on potential off-target movement of the herbicide. The Commissioner of Agriculture also has authority to implement emergency rules to address any unforeseen issues.

The University of Tennessee is an invaluable partner in educating pesticide applicators for practices to ensure the proper use of dicamba products. Although not a label requirement, UT weed specialists recommend that producers do not spray dicamba when the temperature is above 85 degrees.

TDA is working with UT and pesticide manufacturers to expand training opportunities, with options online and in-person at County Extension offices and regional grain conferences. That training will be available by Jan. 15.

TDA will also continue to maintain FieldWatch, the free, online registry for apiaries and commercially grown crops sensitive to pesticides. Applicators are required to check FieldWatch before applying pesticides to avoid any potential impact to sensitive crops or bees.

Tennesseans with qualifying crops or hives are encouraged to register their locations at [www.fieldwatch.com](http://www.fieldwatch.com).

The Tennessee Department of Agriculture will continue to monitor the use of dicamba products and remains committed to protecting the best interests of agriculture, as well as the health, safety and well-being of everyone in Tennessee.

You will find more information on TDA's Dicamba Resources webpage [here](#).

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