

9779-265

7-23-2008

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U.S. ENVIRONMENTAL PROTECTION
AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

9779-265

Date of Issuance:

JUL 23 2008

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

Agrisolutions MCPA LV Ester

Name and Address of Registrant (include ZIP Code):

Agriliance, LLC
P.O. Box 64089
St. Paul, MN 55164-0089

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with FIFRA sec. 4(g)(2)(C) provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
- 2) Revise the First Aid statements to: "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 SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person."

Signature of Approving Official:

Joanne L. Miller

Joanne L. Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Date:

JUL 23 2008

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- 3) Change the Hazards to Humans and Domestic Animals statements to “May be fatal is absorbed through skin. Causes skin irritation. Harmful if swallowed. Do not get in eyes, on skin, or on clothing.”
- 4) The text in bold must be added to the label: “Follow manufacturer’s instructions for cleaning/maintaining PPE. If no such instructions for washables **exist**, use detergent and hot water. Keep and wash PPE separately form other laundry.”.
- 5) Delete the text “this pesticide may be toxic to fish, aquatic invertebrates and aquatic plants” from the Environmental Hazards section.
- 6) To the Non-Agricultural Use Requirements box change the last sentence to “Do not enter or allow others to enter the treated area until sprays have dried.”.
- 7) To the Spray Drift section change “apply only then...” to “apply only when...” in the wind speed text.
- 8) The directions for use on flax which allow rates as high as $\frac{3}{4}$ pint per acre if Canada thistle is present exceed the maximum allowed rate of $\frac{1}{2}$ pint per acre and must be revised.
- 9) To the Storage and Disposal section change “Storage” to “Pesticide Storage”.
- 10) To the Warranty section add “to the extent consistent with applicable law” in front of “seller makes no other”.
- 11) On page 4 change “6 pints” to “6.5” pints.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Submit 1 copy of the final printed label for the record.

If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.



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MCPA LV Ester

For Postemergent Control of Many Broadleaf Weeds

ACTIVE INGREDIENT:		
2-methyl-4-chlorophenoxyacetic acid isooctyl (2-ethylhexyl) ester*	68.7%
INERT INGREDIENTS:	31.3%
Total	100.0%

*Equivalent to 44.1% of 2-methyl-4-chlorophenoxyacetic acid or no less than 3.7 lbs. of MCPA acid per gallon at 68° F. Isomer specific by AOAC Method No. 6.A18-22 (13th ed.). Product contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to read it to you in detail.)

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 by a poison control center or doctor.

IF IN EYES: Hold eyelids 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. Call a poison control center or doctor for treatment advice.

IF ON SKIN: 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 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 treatment advice.

Note to Physician: Contains petroleum distillate – vomiting may cause aspiration hazard.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. For additional information in case of medical emergency call toll free – 1-877-424-7452.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

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

Personal Protective Equipment (PPE):

Some materials that are chemical-resistant to this product are neoprene, nitrile rubber, barrier laminate, or viton. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Mixers, loaders, applicators, flaggers, and other handlers must wear:

- Long-sleeved shirt and long pants.
- Chemical-resistant gloves when mixing, loading, or using any hand-held equipment.
- Shoes plus socks.
- Protective eyewear.

ACCEPTED
with COMMENTS
in EPA Letter Dated

JUL 23 2008

EPA REG. No. 9779-265

EP/ Est. no.

Distributed by Agrilience, LLC
P.O. Box 64089, St. Paul MN 55164-0089

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

NET CONTENTS 2.5 GALS. (9.46 L)

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Additional PPE requirements for mixers and loaders supporting aerial application to rangelands, pasture lands or noncropland. These mixers/loaders also must wear:

- A chemical-resistant apron.
- A NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any P, or HE filter.

See Engineering Controls for additional requirements.

Discard clothing or other materials that have become drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning or maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Controls Statement:

If the mechanical system is used 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.

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.

Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240(d)(6)].

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.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide may be toxic to fish, aquatic invertebrates and aquatic plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Most cases of groundwater contamination involving phenoxy herbicide such as MCPA have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCPA pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and transferring this pesticide will reduce the probability of spills. Placement of mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

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, forest, 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 statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements of this box apply only to those 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 made of any waterproof material,
- Shoes plus socks, and
- Protective eyewear.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agriculture Pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter treated areas without protective clothing until sprays have dried.

GENERAL INFORMATION

USE PRECAUTIONS: This product will kill or seriously injure many desirable forms of vegetation. Do not apply directly to flowers, fruits, vegetables, grapes, ornamentals, cotton or other desirable plants. Do not apply by aerial application in the vicinity of sugar beets. Do not use when there is hazard from drifting mists. (Coarse sprays are less likely to drift). Vapors from this product may injure susceptible plants in the immediate vicinity.

Local conditions may affect the use of this chemical. Consult State Agricultural Extension or Experiment Station weed specialists for specific recommendations for local weed problems and for information on possible lower dosages.

CONTROLS THESE AND OTHER WEEDS

Susceptible (most areas): Lambsquarters (goosefoot), marsh elder, mustards (annual), puncturevine, ragweed, stinkweed (pennycress, fanweed), wild radish, yellow rocket or wintercress, cocklebur, goats beard, field pepper grass, dragon heat mint, beggarticks, poison hemlock, hempnettle, shepherdspurse, annual sow thistle.

Less susceptible: Buttercups, Canada thistle, dandelions, plantains, stinging nettle, perennial sow thistle, vetch, white top or hoary cress, Russian pigweed, sunflower, chervil, miner's lettuce, purslane, kochia.

PREPARATION OF THE SPRAY

Fill the spray tank with half the required amount of water, then add the recommended amount of MCPA LV ESTER and continue filling the spray tank with the balance of water. Keep agitator running when filling spray tank and during spray operations. For crop uses, do not mix with oil, surfactant or other adjuvants as this may reduce selectivity to crops resulting in crop damage or kill.

AMOUNT OF SPRAY TO APPLY

Apply 5 to 15 gallons of total spray per acre when making applications with ground equipment and 3 to 10 gallons of total spray per acre when making applications by aircraft unless directed otherwise under specific directions. Carefully read the ENVIRONMENTAL HAZARDS section of the PRECAUTIONARY STATEMENTS for further information on spray volume.

SPRAY DRIFT MANAGEMENT

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determines the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when the wind speed is 2-10 mph at the application site.

Additional requirements for aerial application:

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

When applications are made with a crosswind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind.

Do not make applications into temperature inversions.

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Additional requirements for ground application:

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

SELECTIVE SPRAYING

Wheat, oats, barley and rye--Apply as a water mix spray by ground sprayer or airplane. Use 1/2 to 1 pint per acre for the more susceptible weeds after crop has reached the 3 to 4 leaf stage up to boot stage. Use up to 1-5/8 pints per acre for the less susceptible weeds after crop has tillered and up to early boot stage. Do not spray from boot to dough stage.

Do not forage or graze dairy animals on treated areas within 7 days after treatment. Do not apply more than 1-5/8 pints (3/4 lb. ae) MCPA LV Ester per acre per year.

FLAX

Use 1/4 to 1/2 pint per acre. Apply by ground sprayer or by airplane. Apply only when weeds are up and when flax in 4 to 8 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. If Canada thistle is present, it may be necessary to go as high as 3/4 pint per acre to prevent seed head production. Some injury to the flax may result.

Do not forage or graze dairy animals on treated areas within 7 days after treatment. Do not apply more than 1/2 pint (1/4 lb. ae) MCPA LV Ester per acre per year.

GRASSES

Established grassland--Use 1 to 3 pints per acre in sufficient water (10 to 100 gallons) by airplane or ground sprayer application and give thorough coverage. Use higher rate for white top, Canada thistle, and other less susceptible weeds. Spray perennials in early bud to full bloom stage and regrowth in fall; other weeds in spring or fall, when actively growing.

Do not forage or graze dairy animals on treated areas within 7 days after treatment. Do not apply more than 3 1/4 pints (1-1/2 lbs. ae) MCPA LV Ester per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

NON-CROP SPRAYING ALONG FENCE ROWS AND ROADSIDES

Canada thistle, white top and meadow buttercup--For spot treatment, use 1/4 pint in 3 to 4 gallons of water, or 3-1/4 pints in sufficient water to give coverage for most extensive areas. Spray to wet weeds thoroughly when in bud to early bloom and again on fall regrowth.

Broadcast Treatment: Do not apply more than 3 1/4 pints (1-1/2 lbs. ae) MCPA LV Ester per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days. Spot Treatment: Do not apply more than 6 pints (3 lbs. ae) MCPE Phenoxy Herbicide per acre per year.

STORAGE AND DISPOSAL

STORAGE: Store in a secure area, in original container only, away from fertilizers, food, or feed. Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA regional office for guidance.

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

NOTICE OF WARRANTY

Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, NOR IS ANY REPRESENTATIVE OF SELLER AUTHORIZED TO MAKE ANY SUCH WARRANTY OR MODIFY THESE TERMS. This warranty does not extend to the storage, handling or use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller, and Buyer assumes the risk of any such storage, handling or use. Seller shall not be responsible for incidental or consequential damages, if any, resulting from a breach of warranty.

In case of emergency involving this product or for user safety information on this product, contact Agriliance, LLC via CHEMTREC at 1-800-424-9300.