



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:
42750-173

Date of Issuance:

Term of Issuance: **Conditional**

Name of Pesticide Product:
Triclopyr 13.6% BEE

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

**Mr. Morris Gaskins
Albaugh, Inc.
P.O. Box 2127
Valdosta, GA 31604-2127**

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 conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. **Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.**
2. **Make the following changes to your labeling:**
 - a. **Change the registration number to "42750-173".**

Approving Official

Date

5-13-08

b. Make all of the changes specified in the attached document "Summary of comments on Microsoft Word – Tricolpyr BEE 13% BEE_RTG-012808sbmtl_".

c. Submit one-year storage stability (Guideline 830.6317) and corrosion characteristics (Guideline 830.6317) studies for this product conducted under warehouse conditions. It is recommended that observations be made at 0, 3, 6, 9, and 12 month intervals.

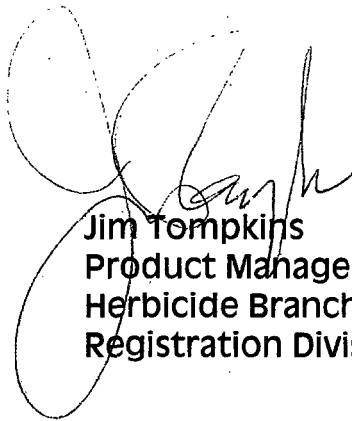
d. Submit the enforcement analytical method for determination of the active ingredient to the EPA Analytical Laboratory, 701 Mapes Road, Ft. Mead, MD 20755-5350 within 60 days of the date of this letter.

e. Submit final labeling for this product **within 30 days** of the date of this letter.

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.

If you have any questions about this letter, please contact Tobi Colvin-Snyder at 703-305-7801.



Jim Tompkins
Product Manager (25)
Herbicide Branch
Registration Division (7505C)


Summary of Comments on Microsoft Word - Triclopyr BEE 13% BEE _RTG-012808 sbmtl_

Page: 1

Author: tsnyder

Subject: Cross-Out

Date: 5/12/2008 2:15:13 PM

 delete "in non crop areas including"

Page: 3

Author: tsnyder
Subject: Note
Date: 5/12/2008 2:20:01 PM
Add the following text:

Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et. al. v. EP. C01-0132C, (W.D. WA). For further information, please refer to <http://www.epa.gov/espp/wtc/>.

Page: 6

Author: tsnyder
Subject: Replacement Text
Date: 5/12/2008 2:42:15 PM

T range and pasture sites, including rights of way, fence rows, or any area where grazing or harvesting is allowed

Author: tsnyder
Subject: Inserted Text
Date: 5/12/2008 2:41:57 PM

T other than range and pasture sites, including rights of way, fence rows, or any area where grazing or harvesting is allowed

Page: 7

Author: tsnyder
Subject: Inserted Text
Date: 5/12/2008 2:48:10 PM
T_A To the extent allowable by applicable law,

Author: tsnyder
Subject: Replacement Text
Date: 5/12/2008 2:48:23 PM
T_A Albaugh's

Author: tsnyder
Subject: Inserted Text
Date: 5/12/2008 2:50:02 PM
T_A To the extent allowable by applicable law,

Author: tsnyder
Subject: Inserted Text
Date: 5/12/2008 2:50:23 PM
T_A To the extent allowable by applicable law,

TRICLOPYR 13.6% BEE RTU

For the control of woody plants in forests, in rangeland and permanent pastures, and in ~~non-crop areas~~ industrial manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, road sides and railroads, fence rows, non-irrigation ditch banks and around farm buildings. Use on these sites may include application to grazed areas as well as establishment and maintenance of wildlife openings.



Basal Bark



Cut Stump

Active Ingredient:

Triclopyr: 3,5,6-trichloro-2-pyridinyloxyacetic acid, butoxyethyl ester	13.6%
Other Ingredients:	86.4%
Total:	100.0%

Acid Equivalent: triclopyr - 9.81% - 0.75 lb/gal

KEEP OUT OF REACH OF CHILDREN

CAUTION PRECAUCION

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 explain 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 do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact CHEMTREC at 1-800-424-9300 for emergency medical treatment information.

Refer to inside of label booklet for additional precautionary information including Personal Protective Equipment (PPE), User Safety Recommendations and Directions for Use including Storage and Disposal.

EPA Reg. No. 42750-xxx

EPA Est. No. 42750-MO-001

NET CONTENTS:

MANUFACTURED FOR:
Albaugh, Inc.
Ankeny, IA 50021

ACCEPTED
with COMMENTS
In EPA Letter Dated

MAY 13 2008
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

42750-173

Notice: Read the entire label. Use only according to label directions. Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful If Swallowed. Prolonged Or Frequently Repeated Skin Contact May Cause Allergic Reactions In Some Individuals

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 E on an ERA chemical resistance category selections chart.

Applicators and other handlers must wear:

- 1. Long-sleeved shirt and long pants
- 2. Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- 3. Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

<p>USER SAFETY RECOMMENDATIONS</p> <p>Users should:</p> <ul style="list-style-type: none"> 1. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 2. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 3. 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 is toxic to fish. 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 cleaning equipment or disposing of equipment washwaters.

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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Ready-To-Use, No Mixing Required.



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, forests, 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 the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to 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:

1. Coveralls
2. Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
3. Shoes plus socks

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 Agricultural Pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Entry Restrictions for Non-WPS Uses: Do not enter or allow others to enter the treated area until sprays have dried.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Store above 28°F or agitate before use.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

Non-refillable containers (1, 2.5, 30 & 55 gallon): Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

(non-refillable < 5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over

application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

(non refillable > 5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use for disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

GENERAL: Consult federal, state, or local disposal authorities for approved alternative procedures.

GENERAL INFORMATION

TRICLOPYR 13% BEE RTU specialty herbicide is a ready-to-use product which is recommended for the control of woody plants through the use of basal bark application techniques in forests, in rangeland and permanent pastures, and in non-crop areas including industrial manufacturing and storage sites, rights-of-way such as electrical power lines, communication lines, pipelines, road sides and railroads, fence rows, non-irrigation ditch banks and around farm buildings. Use on these sites may include application to grazed areas as well as establishment and maintenance of wildlife openings.

GENERAL USE PRECAUTIONS AND RESTRICTIONS

- The state of Arizona has not approved TRICLOPYR 13% BEE RTU for use on plants grown for commercial production; specifically forests grown for commercial timber production, or on designated grazing areas.
- Apply this product only as specified on this label.
- Chemigation: Do not apply this product through any type of irrigation system.
- It is permissible to treat non-irrigation ditch banks, seasonally dry wetlands, flood plains, deltas, marshes, swamps, bogs, and transitional areas between upland and lowland sites. Do not apply to open water (such as lakes, reservoirs, rivers, streams, creeks, salt water bays or estuaries) nor to water present in fresh water wetlands, deltas, marshes, swamps, bogs or potholes, or to salt water marshes below the mean high water mark.
- Do not apply TRICLOPYR 13% BEE RTU directly to, or otherwise permit it to come into direct contact with, grapes, tobacco, cotton, vegetable crops, flowers or other desirable broadleaf plants, and do not permit spray mists containing it to drift onto them.
- Grazing and Haying Restrictions

Except for lactating dairy animals, there are no grazing restrictions following application of this

product.

- Grazing Lactating Dairy Animals: Do not allow lactating dairy animals to graze treated areas until the next growing season following application of this product.
 - Do not harvest hay for 14 days after application.
 - Grazed areas of non-cropland and forestry sites may be spot treated if they comprise no more than 10% of the total grazable area.
- Slaughter Restrictions:
During the season of application, withdraw livestock from grazing treated grass at least 3 days before slaughter.

Avoiding Injurious Spray Drift

Applications should be made only when there is little or no hazard from spray drift. Very small quantities of spray, which may not be visible, may seriously injure susceptible plants. Do not spray when wind is blowing toward susceptible crops or ornamental plants near enough to be injured.

Spray drift can be reduced by using spray pressures no greater than are required to obtain adequate coverage; by using large droplet producing nozzle tips; and by spraying when wind velocity is low. Do not apply with nozzles that produce a fine droplet spray. Do not apply with an orchard type mist blower.

Do not apply on snow or frozen ground.

Untreated trees occasionally can be affected by movement of the herbicide through root grafting with the treated trees.

Since this herbicide moves within the treated plant, do not use TRICLOPYR 13% BEE RTU on parts of a multiple stem plant if injury to the untreated portions (cut or standing stems) cannot be tolerated.

Do not apply on ditches used to transport irrigation water. Do not apply where runoff or irrigation water may flow onto agricultural land as injury to crops may result.

Be sure that use of this product conforms to all applicable regulations. Woody Plant Species Controlled by TRICLOPYR 13% BEE RTU

Ailanthus	Hazel	pecan
alder, red	hedge	persimmon, common
alder, speckled	hercules club	pine, jack
ash, green	hickory, mockernut	pine, loblolly
ash, white	hickory, pignut	pine, ponderosa
aspen ¹	honeylocust	pine, red
Australian pine	hornbeam (blue beach)	pine, white
basswood	huisache	plum (Prunus spp.)
beech, American	locust, Black ⁺	plum, sand
birch, black	lotebush	plum, wild
birch, gray	madrone, Pacific	poison ivy
birch, paper	manzanita, greenleaf	poison oak
blackberry	maple silver	poplar, balsam
blackgum	maple striped	privet ⁺
bois d'arc	maple, bigleaf	redcedar, eastern
boxelder	maple, mountain	rose, multiflora
Brazilian pepper	maple, red	salt cedar ⁺

briar, green cherry, black cherry, choke cherry, pin cottonwood dogwood, flowering dogwood, red-osier elbow bush elm, American elm, winged+ gallberry greenbriar+ guava hackberry hawthorne	maple, sugar maple, vine mesquite* ¹ ^m mountain-laurel oak, black ⁺⁺ oak, blackjack ⁺⁺ oak, chestnut oak, post ⁺⁺ oak, red oak, scarlet oak, water oak, white olive, autumn olive, Russian osage orange	sassafras+ sumac, smooth+ sumac, staghorn+ sweetgum sycamore tallowtree, Chinese tamarack tanoak walnut waxmyrtle willow yaupon yellow poplar yucca
---	--	--

+Some resprouting may occur.

++Not recommended for streamline basal treatment.

+++Suppression only with streamline basal bark treatment.

APPLICATION METHODS

Maximum Use Rates:

- Apply no more than 2.7 gallons (2 lb ae) per acre per year on ~~rangeland and permanent pastures~~.
- Apply no more than 8 gallons (6 lb ae) per acre per year on forestry sites.
- Apply no more than 10.7 gallons (8 lb ae) per acre per year on non-crop areas.

APPLICATION IN FORESTS, IN RANGELAND AND PERMANENT PASTURES, AND IN NON-CROP AREAS

Low Volume Basal Bark Treatment

To control susceptible woody plants with stems less than 6 inches in basal diameter, apply TRICLOPYR 13% BEE RTU with a backpack or knapsack sprayer using low pressure and a solid cone or flat fan nozzle. Spray the basal parts of brush and tree trunks in a manner which thoroughly wets the lower 12 to 15 inches of stems, including the root collar area, but not to the point of runoff. Herbicide concentration should vary with size and susceptibility of species treated. Apply at any time, including the winter months, except when snow or water prevent spraying to the ground line.

Treatment of Cut Stumps

To control resprouting, apply undiluted TRICLOPYR 13% BEE RTU to wet the area adjacent to the cambium and bark around the entire circumference and the sides of cut stumps. Sides of stumps should be thoroughly wetted down to the root collar area, but not to the point of runoff. Treatments may be applied throughout the year, except when snow or water prevent spraying to the ground line. Control may be reduced with treatment during periods of moisture stress as in late summer.

Streamline Basal Bark Treatment (Southern States)

To control or suppress susceptible woody plants for conifer release or in rangeland and pasture, apply TRICLOPYR 13% BEE RTU with a backpack or knapsack sprayer using equipment which provides a directed straight-stream spray. Apply sufficient spray to one side of stems less than 3 inches in basal diameter to form a treated zone that is 6 inches in height. When the optimum amount of spray mixture is applied, the treated zone should widen to encircle the stem within approximately 30 minutes. Treat both sides of stems which are 3 to 4 inches in basal diameter. Direct the spray at bark that is approximately 12

to 24 inches above ground. Pines (loblolly, slash, short leaf, and Virginia) up to 2 inches in diameter breast height (dbh) can be controlled by directing the spray at the point approximately 4 feet above ground. Best results are achieved when applications are made to young vigorously growing stems that have not developed the thicker bark characteristic of slower growing, understory trees in older stands. This technique is not recommended for scrub and native oak species, including blackjack, turkey, post, live, bluejack and laurel oaks. Apply from approximately 6 weeks prior to hardwood leaf expansion in the spring until approximately 2 months after leaf expansion is completed. Do not apply when snow or water prevent spraying at the desired height above ground level.

TERMS AND CONDITIONS OF USE

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Albaugh, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. Albaugh, Inc. MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Albaugh, Inc. or the seller. All such risks shall be assumed by buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

Albaugh, Inc. shall not be liable for losses or damages resulting from handling or use of this product unless Albaugh, Inc. is promptly notified of such loss or damage in writing. In no case shall Albaugh, Inc. be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Albaugh, Inc. or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.