

100-1062

5/20/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

Mr. Montague Dixon  
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P.O. Box 18300  
Greensboro, NC 27419-8300

MAY 20 2010

Subject: Label Amendment – Add Canola and Remove Sorghum Grain and Soybean uses  
Product Name: Diquat Concentrate  
EPA Registration Number: 100-1062  
Decision Number: 423144

The label amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided that you make the following changes to the product labeling:

- 1) Make the following revisions to the 'Conditions of Sale and Limitation of Warranty and Liability' statements:
  - a. Revise "should" to "must" in the first sentence so that it reads, "The Directions for Use of this product must be followed carefully."
  - b. Add "To the extent consistent with applicable law..." before the following sentences:
    - "SYNGENTA CROP PROTECTION, INC. shall not be responsible for any risks caused by the incorporation of this product into an end use product by Buyer or User."
    - "All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold SYNGENTA and Seller harmless for any claims relating to such factors."
    - "SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE."
    - "THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SYNGENTA AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES ... RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT..."
- 2) Revise the Container Disposal paragraph "FOR BULK AND MINIBULK CONTAINERS" to read: "Container Handling: Refillable container. Refill this container with Diquat Concentrate only. Do not reuse this container for any other purpose. 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. To clean the container before final disposal, triple rinse or pressure rinse container (or equivalent) promptly after emptying OR reseal container; then offer for reconditioning or recycling."

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Note: The remaining statements in the Storage and Disposal section, beginning with "CONTAINER PRECAUTIONS" and ending with the statement "CONTAINER IS NOT SAFE FOR FOOD, FEED, OR DRINKING WATER!" are acceptable and must remain on the label.

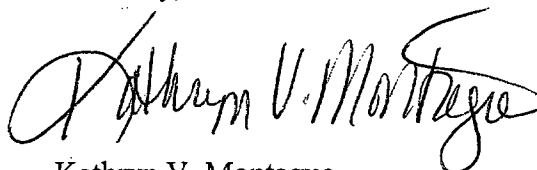
- 3) Note: Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

The following residue chemistry data are required as a condition of registration:

- 1) The final study reports for the U.S. residue field trials supporting this use of diquat dibromide on canola. It is our understanding that IR-4 has completed the trials and that the study reports will be completed and available for submission in the summer of 2011. Please submit them once they become available.
- 2) Data from the W. German and UK residue field trials on the length of storage of canola samples prior to analysis. These data may be submitted with the IR-4 field trial reports required in item 1, above, but no later than September 30, 2011.

One copy of the label stamped "Accepted with Comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA §6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Sincerely,



Kathryn V. Montague  
Product Manager (23)  
Herbicide Branch  
Registration Division (7505P)



<b>FIRST AID</b>	
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<b>HOT LINE NUMBER</b> For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident), Call <b>1-800-888-8372</b>	

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans and Domestic Animals**

**WARNING**

May be fatal if absorbed through skin. Harmful if swallowed or inhaled. Causes substantial, but temporary, eye injury. Causes skin irritation. Contact with irritated skin, or a cut, or repeated contact with intact skin may result in poisoning. Avoid breathing vapors. Do not get in eyes, on skin, or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash before reuse. Wear face shield or goggles, protective clothing; rubber gloves, rubber apron and shoe coverings impermeable to diquat when handling concentrate.

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### Environmental Hazards

This pesticide is toxic to aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

Handwritten marks and symbols, possibly bleed-through or artifacts, located in the bottom right corner of the page.



### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

**Read entire label. Use strictly in accordance with precautionary statements and directions, and with applicable state and federal regulations.**

#### Instructions For Formulation

**Only for Formulation Into Herbicide Products Intended for:**

**1. The Following Use(s):**

**Terrestrial Food Uses On:** Potato Harvest Aid, Canola

**Terrestrial Uses On:** Seed Crops (Alfalfa, Clover), Nonbearing Grapes; Areas around Farms: Fence Lines, Farmyards, Farm Buildings, Fuel Storage Areas, Rights-of-way, Barrier Strips, Equipment Areas, and Nonflooded Portions of Ponds, Lakes and Ditches around Farms; Rights-of-way, including Railroads, Highways, Roads, Dividers and Medians, Pipelines, Public Utility Lines, Pumping Stations, Transformer Stations and Substations; Around Electric Utilities, Commercial Buildings, Manufacturing Plants, Storage Yards, Rail Yards, Fence Lines and Parkways, Edges and NonFlooded Portions of Ponds, Lakes and Ditches. Also around Ornamental Gardens, Walkways, Patios, Beneath Greenhouse Benches, Along Driveways and on or around Golf Courses. Turf Renovation (all Turf Areas Except Commercial Sod Farms), Dormant Established Bermudagrass (nonfood or Feed Crop)

**Aquatic, NonFood Uses On:** Drainage Ditches, Lakes, and Ponds where there is little or no outflow of water. Also Bayous, Canals, Drainage Ditches, Lakes, Marshes, Ponds, Reservoirs, Rivers, Streams, and other slow moving or quiescent bodies of water.

**2. This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding the support of such use(s).**

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#### STORAGE AND DISPOSAL

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Do not contaminate water, food or feed by storage or disposal.

#### Pesticide Storage

Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Store at temperature above 32°F. Do not store or transport near feed or food. Do not store near fertilizers, seeds, insecticides or fungicides. For help with any spill, leak, fire or exposure involving this material, call 1-800-888-8372.

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**Pesticide Disposal**

Open dumping is prohibited. This product is acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use 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.

**FOR BULK AND MINIBULK CONTAINERS**

**CONTAINER DISPOSAL:** Reseal container and offer for reconditioning, or triple rinse (or equivalent) and offer for recycling or reconditioning, or clean in accordance with manufacturer's instructions.

**CONTAINER PRECAUTIONS:** Before refilling, inspect thoroughly for damage, such as cracks, punctures, bulges, dents, abrasions, and damaged or worn threads on closure devices.

**REFILL ONLY WITH DIQUAT CONCENTRATE:** The contents of this container cannot be completely removed by cleaning. Refilling with materials other than Diquat Concentrate will result in contamination and may weaken container.

After filling and before transporting, check for leaks.

Do not refill or transport damaged or leaking container.

**CONTAINER IS NOT SAFE FOR FOOD, FEED, OR DRINKING WATER!**

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For non-emergency (e.g., current product information), call  
Syngenta Crop Protection at 1-800-334-9481

Manufactured for:  
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Greensboro, North Carolina 27419-8300  
[www.syngenta-us.com](http://www.syngenta-us.com)

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