

pm 23 228-176

File



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

MAR 31 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Russell F. Sawyer
RIVERDALE CHEMICAL CO.
425 West 194th Street
Glenwood, IL 60425

Subject: Label Amendment Submission of 09/03/93 in Response to PR Notice 93-7
EPA Reg. No. 228-196
RIVERDALE DP-4 ESTER

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.

Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- **BEFORE** selling or distributing any product bearing the final printed labeling as amended

AND

- **WITHIN** one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
 Office of Pesticide Programs (7505C)
 U.S. Environmental Protection Agency
 401 M Street, SW
 Washington, D.C. 20460-0001

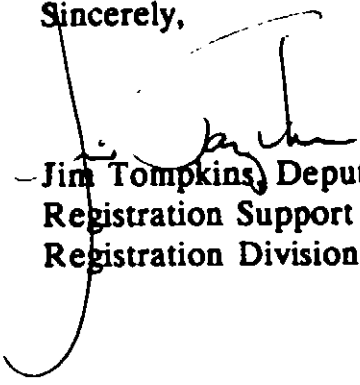
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Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



- Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division

Russell F Sawyer
RIVERDALE CHEMICAL CO
425 WEST 194TH ST.
GLENWOOD IL 60425

Comment for: EPA Reg Nr.228-196
RIVERDALE DP-4 ESTER

The following specific comments pertain to your WPS labeling submission concerning the product cited above:

Place the heading "Personal Protective Equipment" on your labeling in the location shown in Section A on Part I of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

Add the following User Safety Recommendation to the label in the location shown in Section A on Part I of the Product Worksheet in Supplement Three-A to PR Notice 93-7: "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."

The glove requirement for "applicators and other handlers" in the "Personal Protective Equipment" section on your proposed labeling is missing or does not match the chemical-resistance category identified on your proposed labeling. Correct the chemical-resistant category statement (if necessary) to state: "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 EPA chemical resistance category selection chart." Remove the incorrect glove requirement (if any) and add "Chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber or viton." The exact location is shown in Sections A and B on Part I of the product Worksheet in Supplement Three-A to PR Notice 93-7.

One or more of the statements in the Non-Agricultural Use Requirements box is not found on your original label. Delete the crossed-out sentence(s). If you wish to retain the sentence(s) you must submit an amendment request to the Product Manager. If there are no remaining requirements in the box after you delete the sentence(s), delete the entire Non-Agricultural Use Requirements box. Please refer to the

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RIVERDALE CHEMICAL CO
EPA Reg. Number: 228-196
RIVERDALE DP-4 ESTER
Application date: 09/03/93
Original Submission

instructions starting on page 45 of Supplement Three to PR
Notice 93-7 (Main Labeling Guidance).

7 7 12

RIVERDALE

DP-4 ESTER

A WOODY PLANT HERBICIDE

FOR CONTROL OF BRUSH AND SOLID STANDS OF POST, BLACKJACK,
SAND SHINNERY OAK AND SANDSAGE ON HIGHWAYS, FIREBREAKS,
RAILROADS, DRAINAGE DITCHBANKS, AND RIGHTS-OF-WAY

ACTIVE INGREDIENT:

Isooctyl (2-ethylhexyl) Ester of 2-(2,4-Dichlorophenoxy)propionic Acid* .. 69.8%

INERT INGREDIENTS: 30.2%

TOTAL 100.0%

*Equivalent to 2-(2,4-Dichlorophenoxy)propionic Acid 47.4%, 4 lbs./gal.

KEEP OUT OF REACH OF CHILDREN

CAUTION - CAUCION

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.)

SEE SIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. NO. 228-196

EPA EST. NO. 228-IL-1

NET CONTENTS GAL.

MANUFACTURED BY

RIVERDALE CHEMICAL COMPANY

GLENWOOD, ILLINOIS 60425-1584

ACCEPTED
with COMMENTS
in EPA Letter Dated

MAR 31 1994

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
228-196

(Left Side Panel)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION - CAUCION

Harmful if swallowed or absorbed through the skin.

IF SWALLOWED: Do not induce vomiting. If vomiting occurs spontaneously,

Note: Spanish language is optional

Revised A/O 4/20/93

keep airway clean. Never give anything by mouth to an unconscious person. Seek medical attention.

NON-WPS USES: Applicators and other handlers who handle this pesticide for any use NOT covered by the Worker Protection Standard (40 CFR Part 170)-- in general, only agricultural plant uses are covered by the WPS -- must wear: chemical-resistant gloves.

WPS USES: Applicators and other handlers who handle this pesticide for any use covered by the Worker Protection Standard (40 CFR Part 170) -- in general, agricultural plant uses are covered -- must wear: long-sleeved shirt and long pants; chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber \geq 14 mils, Neoprene Rubber \geq 14 mils, and Viton \geq 14 mils; and shoes plus socks. Follow manufacturers instructions for cleaning/maintaining Personal Protective Equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. 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.

USER SAFETY RECOMMENDATIONS

USERS SHOULD: Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Wash the outside of gloves before removing. *Given add all of User Safety Rec. (c) to label*

ENVIRONMENTAL HAZARDS

Drift or runoff may adversely affect nontarget plants. For terrestrial uses, 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 disposing of equipment washwaters nor pour the washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not apply this product through any type of irrigation system. Do not apply when or where runoff is likely to occur. If spills occur, collect the material and dispose of by following disposal instructions on this label.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-DP have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-DP pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the 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. READ ENTIRE LABEL BEFORE USING.

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: Coveralls, chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber \geq 14 mils, Neoprene Rubber \geq 14 mils and Viton \geq 14 mils; and 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. No re-entry restrictions for non-crop applications.

DP-4 Ester will control mixed brush such as post oak, blackjack oak, white oak, sand shinnery oak, red oak, pine, fir, spruce, black cherry, alder, willow, sandsage, elm, and similar species as well as solid stands of post oak, blackjack oak, sand shinnery oak and sandsage along utility rights-of-way, highway, railroads, drainage ditchbanks and firebreaks.

PRECAUTION: Do not apply DP-4 Ester near, directly to, or permit spray mist to drift onto cotton, okra, grapes, tomatoes, fruit trees, vegetables, flowers or other desirable crop or ornamental plants which are susceptible to 2,4-DP herbicide. Very small quantities of DP-4 Ester will cause severe injury during the growing or dormant periods. Crops contacted by DP-4 Ester sprays or spray drift may be killed or suffer significant stand loss with extensive quality and yield reduction. Do not apply when weather conditions favor drift from target area.

Do not use the same spray equipment for other purposes unless thoroughly cleaned. Do not

contaminate irrigation ditches or water used for domestic or irrigation purposes especially in areas where grapes, cotton, tomatoes or other susceptible plants are grown. Do not use in a greenhouse.

Do not apply when a temperature air inversion exists. Such a condition is characterized by little or no air movement and an increase in air temperature with an increase in height. In humid regions a fog or mist may form. An inversion may be detected by producing a smoke column and checking for a layering effect. If questions exist pertaining to the existence of an inversion, consult with local weather services before making an application.

Use coarse sprays to minimize drift. Do not apply with hollow cone-type insecticide or other nozzles that produce fine spray droplets. Do not apply when any wind is blowing toward susceptible crops or valuable plants.

Drift from aerial application may be reduced by: (1) applying as near to the target as possible in order to obtain coverage; (2) by using 20 pounds pressure or less at the nozzle tips; (3) by using nozzles which produce a coarse spray pattern; (4) by spraying only when the wind velocity is less than 5 miles per hour; (5) by applying sprays at low pressure and high volume; (6) by applying 5 or more gallons of spray per acre.

Drift from ground application may be reduced by: (1) keeping the spray as near to the target as possible in order to obtain complete coverage; (2) by applying 25 gallons or more of spray per acre; (3) by using no more than 20 pounds of pressure at the nozzle tips; (4) by using nozzles which produce a coarse spray pattern; (5) by applying sprays at low pressure and high volume.

Under very high temperatures, vapors from this product may injure susceptible plants in the immediate vicinity.

FOLIAGE STEM METHOD: This is the standard method for high-volume sprays along fencerows, highways, and utility rights-of-way. Use it as a "first spray" on thick brush composed of mixed species. Apply spray to both foliage and stems of all plants from the time foliage is fully developed until plants begin to go dormant. For effective control, all leaves, stems and suckers must be thoroughly wet to ground line. Some regrowth may be expected on resistant species, such as ash, maple, oak and persimmon.

To control mixed brush, add 1 gallon of DP-4 Ester to 99 gallons of water. Mix thoroughly before spraying. Apply 100 to 300 gallons of spray mixture per acre.

Up to 5 gallons of oil per 100 gallons may be added to these spray mixtures.

RAILROAD ON-track application: For use with the DIRECTA-SPRA^(R) spray applicator mounted on Hi-Rail equipment, use 3 gallons of Riverdale DP-4 Ester in 25-50 gallons of water per acre. For added drift control, add 2-2.5 ounces LO-DRIFTTM Spray Additive in each 25-50 gallons water. If higher total spray volumes are needed, do not apply more than 3 gallons DP-4 Ester per acre.

AERIAL APPLICATION UTILITY RIGHTS-OF-WAY: Aerial spraying is a specialized job. Secure qualified technical guidance for each job and employ a competent, reliable applicator. Become familiar with state laws governing the application of herbicides. Do not use aerial sprays in areas where possible drift may injure valuable crops or plants.

For aerial application to mixed brush along utility rights-of-way, apply 2-3 gallons of DP-4 Ester in 12 to 30 gallons of water per acre. One gallon of fuel oil may be added.

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DIRECTIONS FOR USE (Continued)

Apply spray only through equipment designed to provide effective drift control. A helicopter mounted MICROFOIL^(R) applicator or other equipment that provides equivalent drift control is recommended.

SOLID STANDS OF OAK OR SANDSAGE: Apply chemicals with fixed wing or helicopter aircraft using 5 gallons of spray mixture per acre. Spray when plants have just developed full-sized leaves, when soil moisture is sufficient for good growing conditions, when relative humidity is high, and wind velocities are less than 5 miles per hour. Spray season normally runs from early May to mid-June in Texas, California and New Mexico and from mid-May to early July in Oklahoma and northward.

AMOUNTS PER ACRE

	Quarts DP-4 Ester	Oil Gals.	Water Gals.	Remarks
Post & Black Jack oak	2	1/2	4	Re-treat the 2nd year with 1 quart per acre
Sand shinnery oak	1/2	1/2	4-3/8	Re-treat the 2nd year with 1/2 quart per acre
Sandsage	1/2	1/2	4-3/8	

TO PREPARE SPRAY: Add this product to the proper amount of oil, if any, and mix thoroughly. Then pour this mixture into the required amount of water while agitating continuously. This material forms an emulsion in water - not a solution. Provide agitation to prevent separation and ensure a uniform spray mixture.

PINE RELEASE GROUND SPRAY: To control hickory, sweetgum, oaks, wax myrtle, chinquapin, boxelder, cherry, sumac, sassafras and similar species in pine plantations, apply a mixture of 1 gallon DP-4 ESTER + 24 gallons of water to the foliage of competing hardwood brush species. Apply with a backpack or similar sprayer with a hand-held wand and single nozzle. For best results, apply when hardwoods are in full leaf and actively growing and when soil moisture is high. Brush foliage should be thoroughly covered but short of runoff. Avoid spraying the planted pines, as some needle damage may result.

Application to a 1 to 3 year old pine plantation with 2-4' brush of average density should require 5 to 10 gallons of spray mixture per acre.

Brush species such as blackgum, water and willow oak and/or hophornbeam require thorough coverage for good results. Brush species such as red maple, ash or dogwood are not usually controlled by this treatment.

AERIAL OR GROUND APPLICATION TO CONTROL MIXED BRUSH INCLUDING CONIFERS AND ROOT SUCKERING SPECIES ON UTILITY, RAILROADS AND HIGHWAY RIGHTS-OF-WAY AND FENCEROWS.

Where red maple, conifers and root-suckering species such as sassafras, sumac, black locust or persimmon are the major problem, use 1 to 2-1/2 gallons DP-4 Ester in combination with 1 to 2-1/2 gallons Tordon* 101 or Tordon* 101 mixture or in combination with 3 to 6 pints Tordon* K herbicide. Dilute with water and apply in a total spray volume of 15 to 50 gallons per acre. Use lower rates to control brush on sandy soils or coarse soils with susceptible species such as seedling aspen, cherry, willow and sumac. Use higher rates to control brush on clay soils or fine soils or rocky terrain with more resistant species such

as maple, oak, pine and red cedar. When making the spray mixture, add DP-4 Ester to the required amount of water while agitating the mixture in the spray tank. Then add the Tordon* 101 or Tordon* K while continuing agitation. (Do not mix concentrates of DP-4 Ester with concentrates of Tordon* 101 or Tordon* K.) Aerial application of the tank mixture should be made only with a helicopter mounted MICROFOIL^(R) applicator or an equipment system providing equivalent drift control. Ground applications to control brush on railroad or utility rights-of-way should be made only with the DIRECTA-SPRA^(R) spray applicator or an equipment system providing equivalent drift control. Do not use these tank mixtures on drainage ditchbanks or firebreaks. Observe all restrictions, precautions and limitations on the labeling of each product used in tank mixtures.

Local conditions may affect the uses of this chemical as shown on this label. Consult state agricultural extension or experiment station weed specialist for specific recommendations for local weed problems and for information of possible lower dosages.

STORAGE AND DISPOSAL

STORAGE: Always store pesticides in a secure warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides. Container should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not contaminate water, food or feed by storage or disposal.

PESTICIDE DISPOSAL: If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed labeled container for proper disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: 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.

*Trademark of Dow Chemical Company
MICROFOIL^(R), DIRECTA-SPRA^(R), and LO-DRIFTTM - Registered Trademarks of Rhone-Poulenc.

NOTICE: Riverdale Chemical Company warrants that this product conforms to the chemical description on this label. Seller makes no warranty, express or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instructions.
(RS 030191)(PR933&7 042193/RV 080693)