

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

1 6 MAY 2008

George Meindl Nufarm Americas Inc 150 Harvester Drive, Suite 200 Burr Ridge, Illinois 60527

Dear Mr. Meindl:

Subject:

RED Label Amendment

Tri-power Selective Herbicide

EPA Reg. No. 228-262

Submission dated November 27, 2006

The labeling, referred to above, submitted in connection with the application under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable provided that you make the following changes:

1. Under "Precautionary Statements";

Use the following statements:

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear goggles or face shield. May be fatal if inhaled. Do not breathe dust. Wear a NIOSH approved particulate filter respirator. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

2. Under "First Aid"

- Add "Note to Physicians Probable mucosal damage may contraindicate the use of gastric lavage."
- b. Rearrange the first aid treatments with the following sequence:
 - If in eyes.
 - If inhaled.
 - If on skin or clothing.
 - If swallowed.
- 3. Under "Personal Protective Equipment";
 - a. Add the following respiratory protection requirements:
 - i. Goggles or face shield.
 - ii. A National Institute for Occupational Safety and Health (NIOSH) approved half-mask respirator equipped with N-, R-, P-series, or HE particulate air filters with the approval number prefix (84A-XXX).
 - iii. It is recommended that you require that respirator wearers be fit tested, and trained in the proper use, care, cleaning, inspection, and storage of the respirator. Refer to the

Page 2 EPA Reg. No. 228-262

Occupational Safety and Health Administration (OSHA) standard for Respiratory Protection (29 CFR 1910.134) for additional information.

- b. Replace "Chemical resistant gloves" with "Chemical resistant gloves made of any waterproof materials."
- c. Add "Wear goggles or face shield."
- 4. Under "Directions for Use";
 - The maximum application rate permitted in the EPA MCPA RED document is 1.5 lbs per acre per year with no more than two applications per year with a minimum retreatment interval of 21 days. This converts to 3.24 pints of product per acre per year [1.5/(3.1+0.6) x 8]. You need to reduce the application rate of cool season grass, turf, roadsides, woody plants, and non-crop areas.
 - Do not apply this product by air.
 - Remove "similar turf area" and "similar not-cop areas" from pages 2 and 4.
- 5. Under "Spray Drift"

Add the following Spray Drift Management" statements:

- Avoiding spray drift at the application site is the responsibility of the applicator. The
 interaction of many equipment-and-weather-related factors determine 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 ground boom application:

- Do not apply with a nozzle height greater than 4 feet above the crop canopy
- 6. Under "Warranty Disclaimer";

Add "To the extent consistent with applicable law" before "Unintended consequences, including but not limited to . . . assumed by buyer or user."

Under "Limitation of Liability";

Add "To the extent consistent with applicable law" before "Manufacturer or seller shall not be . . . sold by the manufacturer or seller to buyer" and "Buyer's or user's exclusive remedy . . . or its customers."

8. Under "Environmental Hazards";

Remove "This pesticide may be toxic to fish, aquatic invertebrates, and aquatic plants."

9. Add the following statement after the heading if this product is intended for residential use:

"Intended for use by applicators who are authorized/licensed by the state for this type of application".

Page 3 EPA Reg. No. 228-262

Please note: Final product reregistration cannot be considered until after all active ingredients in this product are eligible for reregistration.

The amended labels supersede all previously accepted labels. A stamped copy of the revised label is enclosed for your records. Please submit a copy of your final printed labels before you release the products for shipment.

Sincerely yours,

doanne I. Miller

Product manager (23)

Herbicide Branch

Registration Division (7505P)

J. Miller

Enclosure

ACCEPTED with COMMENTS In EPA Letter Dated:

1 6 MAY 2008

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

TRI-POWER® SELECTIVE HERBICIDE

228-262

FOR SELECTIVE BROADLEAF WEED CONTROL IN ORNAMENTAL LAWNS AND TURF GRASSES. ALSO FOR WOODY PLANTS, ROADSIDES, AND SIMILAR NON-CROP AREAS

CONTROLS: Dandelion, Chickweed, Black medic, Knotweed, Plantain, Oxalis, Clover, Cocklebur, Thistle and many other species of broadleaf weeds; some of which are listed on this label.

CONTAINS MCPA, MECOPROP-p AND DICAMBA GET THE OPTICAL ADVANTAGE®

ACTIVE INGREDIENTS: Dimethylamine Salt of 2-Methyl-4-Chlorophenoxyacetic Acid* Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid**‡ Dimethylamine Salt of Dicamba (3,6-Dichloro-o-Anisic Acid)*** OTHER INGREDIENTS:		7.99% 3.97%
	TOTAL:	
Isomer Specific Method, Equivalent to:		
*2-Methyl-4-Chlorophenoxyacetic Acid		1 lbs./gal.
**(+)-R-2-(2-Methyl-4-Chlorophenoxy)propionic Acid		
***3,6-Dichloro-o-Anisic Acid	3.30%, 0.	3 lbs./gal.

FOR USE BY PROFESSIONAL TURF MAINTENANCE PERSONNEL, LANDSCAPING OR COMMERCIAL APPLICATORS ONLY.

DANGER - PELIGRO

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

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300 For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 228-262 EPA EST. NO. 228-IL-1 MANUFACTURED BY NUFARM AMERICAS INC. BURR RIDGE, IL 60527



NET CONTENTS

GALS.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER - PELIGRO

Corrosive. This concentrate causes irreversible eye damage. Harmful or fatal if swallowed. Harmful if inhaled. Avoid breathing spray mist. Do not get in eyes, on skin or on clothing. Wear face shield or goggles when mixing and loading this product. After product has been diluted in accordance with the directions for use on turf below, goggles, face shield or safety glasses are not required. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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 A on an EPA chemical-resistance category selection chart.

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

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

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 from other laundry.

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 the poison control center or doctor. Do not give anything by mouth to an unconscious person. 			
IF ON SKIN OR CLOTHING	 Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 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 by mouth to-mouth, if possible. Call a poison control center or doctor for further treatment advice. 			
IF IN EYES	 Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice. 			
	HOT LINE NUMBER			

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

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 the 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.

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 THIS PRODUCT, USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

This product is for use on Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields and Golf Courses (Fairways, Aprons, Tees and Roughs) and similar furf areas, also for Woody Plants, Roadsides, and similar non-crop areas. Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production or for research purposes.

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.

USE PRECAUTIONS

Avoid drift of spray mist to vegetables, flowers, ornamental plants, shrubs, trees and other desirable plants. Do not pour spray solutions near desirable plants. Do not use on Dichondra, nor on lawns or turf where desirable clovers are present. Avoid fine mists. Use lawn type sprayer with coarse spray as wind drift is less likely. Avoid contact with exposed feeder roots of ornamentals and trees. Maximum

control of weeds will be obtained from Spring or early Fall applications when weeds are actively growing. Use the higher rate for hard-to-control weeds. Do not exceed specified dosages for any area; be particularly careful within the dripline of tree and other ornamental species. Do not apply to newly seeded grasses until well established. Avoid broadcast applications when air temperature exceeds 90 degrees. When using small, spot treatment applications in temperature over 90 degrees, turf injury may occur.

When treating Carpetgrass and St. Augustine grass, avoid broadcast applications when air temperature exceeds 80 degrees. When air temperatures exceed 80 degrees, limit application to spot treatment only.

For optimum results: (1) avoid applying during excessively dry or hot periods unless irrigation is used; (2) avoid applying if rainfall is expected within 24 hours, nor should lawns be irrigated (watered) for 24 hours following application; (3) turf should not be mowed 1 to 2 days before and following application; (4) reseed no sooner than 3 to 4 weeks after application of this product. Adding oil, wetting agent, or other surfactant to the spray may be used to increase effectiveness on weeds, but doing so may reduce selectivity to turf resulting in turf damage. Clean and rinse spray equipment using soap or detergent and water, and rinse thoroughly before reuse for other sprays.

This product can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizers and liquid iron differ in pH, free ammonia content, density, salt concentration, and percentage of water, a compatibility test (given below) is recommended prior to mixing in the application equipment. All regulations, either State or Federal, relating to the application of liquid fertilizers or liquid iron and this product must be strictly followed. The following compatibility test should always be performed prior to full-scale mixing.

- 1. Pour 18 ounces of water into a quart jar.
- 2. Add 1 ounce of either the liquid fertilizer or liquid iron to be used.
- 3. Add 1 ounce of this product,
- 4. Close iar and shake well.
- 5. Watch the mixture for several seconds after shaking and check again after 30 minutes.
- 6. If the mixture does not show signs of separating, the combination may be used. If the mixture foams excessively, gels, separates or gets very thick, do not combine for field application.
- 7. Compatibility may be improved by the use of a compatibility agent. Some suggested compatibility agents to try are Kalo Laboratories, Complex, Farm Chemicals Inc.'s Compat, Harcros Chemicals' T-Mulz 734-2, Rigo Company's Rigo Compatibility Agent, Witco Chemical's Sponto 168D, Amoco Oil's Amoco Spray Mate and Universal Coop's Chem-Link. These agents are all used in the same manner. Follow the previously outlined test procedures and add 1/6 ounce of the compatibility agent between steps (the compatibility agent must be added to the fertilizer or iron before adding this product).
- 8. If the mixture does not separate, gel, foam or get very thick, it may be used for field application. Mix only the amount to be sprayed. Do not allow to stand overnight.

WEEDS CONTROLLED

Bedstraw	Dog fenne	Lespedeza	Red clover	Wild carrot
Bindweed	English daisy	Mallow	Red sorrel	Wild garlic
Black medic	Florida pusley	Morningglory	Sheep sorrel	Wild geranium
Buckhorn	Frenchweed	Mustard	Shepherdspurse	Wild lettuce
Burdock	Goldenrod	Oxalis	Smartweed	Wild onion
Buttercup	Ground ivy	Pennywort	Speedwell	Wild radish
Canada thistle	Hawkweed	Peppergrass	Spurge	Wood sorrel
Carpetweed	Healall	Pepperweed	Spurweed	Yarrow
Chickweed	Heartleaf drymary	Pigweed	Stinging nettle	and many other
Chicory	Henbit	Plantain	Stitchwort	broadleaf weeds
Clover	Jimsonweed	Poison ivy	Thistle	
Cocklebur	Knotweed	Poison oak	Toadflax	
Dandelion	Kochia	Purslane	Veronica	
Dock	Lambsquarter	Ragweed	Wild aster	•

ORNAMENTAL LAWNS AND TURFS

Cool Season Grasses: Apply this product at the rate of 2.5 to 4.1 pints in 20 to 240 gallons of spray solution per acre (0.9 to 1.5 fluid ounces in 0.5 to 4 gallons of water per 1,000 square feet) to control (or kill) weeds growing in ornamental lawn turf planted to Kentucky bluegrass, Perennial ryegrass, Tall fescue or Fine fescue.

Warm Season Grasses: Apply this product at the rate of 2 to 3 pints in 20 to 240 gallons of spray solution per acre (0.7 to 1.1 fluid ounces in 0.5 to 4 gallons of water per 1,000 square feet) to control weeds growing in Bermudagrass or Zoysiagrass. Applications to other grass species including Bahiagrass, Kikuyugrass, Buffalograss, Centipedegrass, Carpetgrass, or St. Augustinegrass should be avoided unless injury can be tolerated. Avoid applications to warm season grasses emerging from Winter dormancy unless a slight delay in Spring green-up can be tolerated.

Bentgrass Turf (Other Than Golf Course Greens and Tees): On closely mowed Bentgrass, apply this product at a maximum rate of 2.5 pints per acre (0.9 fluid ounces in 3 gallons of water per 1,000 square feet) in May or mid-August through September when weeds are actively growing. Exercise care when applying to avoid overdosing Bentgrass, or turf injury may result. Slight turf yellowing should disappear after about 1 week.

Bentgrass Turf (Putting and Bowling Greens): On closely moved Bentgrass, apply this product at a maximum rate of 1 fluid ounce in 5 gallons of water per 1,500 square feet - preferably in May or mid-August through September. Slight turf yellowing will disappear

after about one week.

NOTE: Care should be taken to avoid overdosing Bentgrass, St. Augustine, and Centipede grasses or injury may result. Large volumes of spray water will aid in obtaining uniform coverage. If hand-type sprayers are used, it is preferable to use a single nozzle sprayer rather than a multiple nozzle boom as sideways application with a boom where the spray from more than one nozzle is allowed to fall on the same area will result in heavy local over-application and subsequent turf discoloration or injury.

HerbiTM Controlled Droplet Applicator: For Cool Season Grasses - Add 1-2/3 to 2-1/2 pints of this product to the 5 pint Herbi bottle, then fill with water to make 5 pints of mixture or substitute 1/2 pint of a surfactant for water while agitating the solution.

For Listed Warm Season Grasses - Apply 1-1/4 to 1-2/3 pints of this product, then add water to make total of 5 pints of mixture. While walking at approximately 1 pace (3 feet) per second, spray entire contents over 33,000 square feet (3/4 of an acre). Do not overlap (double coverage) at edge of spray patterns. Reduced rates (use 1/2 of rate shown above) of this product must be applied when grass is stressed from heat, drought, etc.

Controlled Droplet Applicators - (CDA), Atomizers, and Spinning Disk Applicators: For Cool Season Grasses - Use this product at the rate of 2-1/2 to 3-1/2 pints per acre (0.9 to 1.25 fluid ounces per 1,000 square feet) in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment).

For Listed Warm Season Grasses - Use 2 to 3 pints of this product per acre (0.7 to 1.1 fluid ounces per 1,000 square feet) in sufficient water to assure coverage (1 to 4 gallons of water per acre is normal for this type of equipment).

NOTE: For all grasses (1) Do not overlap spray patterns; (2) Use reduced rates if grass is stressed from heat, drought, etc.; and (3) Follow CDA equipment spray instructions.

RESTRICTIONS AND LIMITATIONS FOR USE ON TURF

Do not apply more than 4 pints per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

OTHER NON-CROP AREAS

Roadsides (Including Aprons and Guard Rails), Rights-of-Way, and Other Similar Non-Crop Areas: For the control of broadleaf weeds, mix at a rate of 1/4 to 3/4 gallon of this product per 50 to 300 gallons of water. This mixture will cover 43,500 square feet. Thoroughly saturate all weeds with spray mixture. Apply any time between the time when plants come into full leaf (Spring) to when the plants begin to go dormant. Best results are obtained when weeds are young and actively growing. Do not cut weeds until herbicide has translocated throughout the plant causing root death. For small broadleaf weeds, use the lower rate. Heavy, dense stands require the higher rate of 3 ounces of this product per gallon of water and spray to thoroughly wet all foliage.

For Control of Woody Plants: Apply to both stems and foliage any time from the time foliage is completely matured until the time plants start to go dormant. All leaves, stems and suckers must be completely wet to the ground line for effective control. Regrowth may be anticipated on the more resistant species. Add 2/3 gallon of this product to 100 gallons of water applying 200 to 600 gallons of spray mixture per 43,500 square feet depending upon the height and thickness of the brush. Mix thoroughly before spraying.

RESTRICTIONS AND LIMITATIONS FOR USE ON NON-CROP

Do not apply more than 4 pints per acre per year. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Always store pesticides in a secured warehouse or storage building. Store at temperatures above 32°F. If allowed to freeze, remix before using. This does not alter this product. Containers should be opened in well ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed, or other pesticide.

PRODUCT DISPOSAL: Pesticide wastes are acutely hazardous. 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. Improper disposal of excess pesticide, spray mixtures, 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.

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. Plastic containers are also disposable by incineration, or if allowed by State and local authorities by burning. If burned, stay out of smoke.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER. TO THE EXTENT PERMITTED BY LAW, MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO CROP INJURY OR

INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT PERMITTED BY LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV100406)

Tri-Power and THE OPTICAL ADVANTAGE are Registered Trademarks of Nufarm Americas Inc. Herbi™ is a trademark of Micron Sprayers Limited Corporation, United Kingdom