

228-386

11/13/2009

1/7



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mary Beth Endres
Registration Manager
Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

NOV 13 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10
1. Primary Brand Name Change: DiBro 4 + 2

Dear Mr. Granahan:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated October 21, 2009 for:

EPA Registration 228-386

DiBro 4 + 2

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identify the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

(A)	EPA United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460 Application for Pesticide:	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number Please Attach An Original Form
-----	---	---	--

Section I

1. Company/Product Number 228-386	2. EPA Product Manager James Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DiBro 4 + 2	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section II

<input type="checkbox"/> Amendment - Explain Below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - explain below
--	---

NOTIFICATION
NOV 13 2009

Explanation: Use additional page(s) if necessary. (For Section I and Section II).
 Notification of label change per PR Notice 2007-4 and PR Notice 1998-10. This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 1998-10 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of PR Notice 1998-10 and 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No <i>*Certification must be submitted.</i>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label or <input checked="" type="checkbox"/> Container	4. Size(s) of Retail Container 10 to 50 pounds	5. Location of Label Directions <input checked="" type="checkbox"/> On Label or <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner In Which Label Is Affixed To Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other (<u>Self-Adhesive Integrated Label/Booklet</u>) <input checked="" type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Mary Beth Endres	Title Registration Manager	Telephone No. (Include Area Code) 630-455-2000
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received <div style="border: 1px solid black; padding: 5px; text-align: center;">(Stamped)</div>
2. Signature 	3. Title Registration Manager	
4. Typed Name Mary Beth Endres	5. Date 10-21-2009	



3/7

Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Telephone: (630) 455.2000 Facsimile: (630) 455.2001
www.us.nufarm.com

Overnight Courier ✓

October 21, 2009

Linda Arrington
Notification and Minor Formulations Team Leader
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Subject: Primary Brand Name Change Notification per PR Notice 98-10
Revise Container Disposal Statements per PR Notice 2007-4**

Product: DiBro 4 + 2, EPA Reg. No. 228-386

Dear Ms. Arrington:

Enclosed please find one copy of labeling for the above referenced product. This label notification is sent in accordance with PR Notices 1998-10 and 2007-4. The following changes were made:

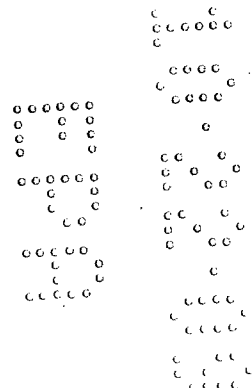
1. Primary Brand Name Change to: DiBro 4 + 2 ✓
2. Container Disposal Statements per PR Notice 2007-4.

Should you have any questions please contact me at the address and telephone number above or by email listed below.

Sincerely,

Mary Beth Endres
Registration Manager
Nufarm Americas Inc.
Email: maryb.endres@us.nufarm.com

Enclosures



4/7

DiBro 4 + 2

A GRANULAR WEED KILLER

CONTAINS DIURON AND BROMACIL

NOTIFICATION

FOR CONTROL OF GRASSES AND WEEDS IN NON-CROP AND INDUSTRIAL AREAS **NOV 19, 2009**

ACTIVE INGREDIENTS:

Diuron [3-(3,4-Dichlorophenyl) -1,1-Dimethylurea]	4%
Bromacil (5-Bromo-3-Sec-Butyl-6-Methyluracil)	2%

OTHER INGREDIENTS:	<u>94%</u>
TOTAL:	100%

Contains 1.65 lbs. Diuron and 0.82 lbs. Bromacil per 40 lbs. of DiBro 4 + 2.
 Contains 2.06 lbs. Diuron and 1.03 lbs. Bromacil per 50 lbs. of DiBro 4 + 2.

**KEEP OUT OF REACH OF CHILDREN
CAUTION / PRECAUCION**

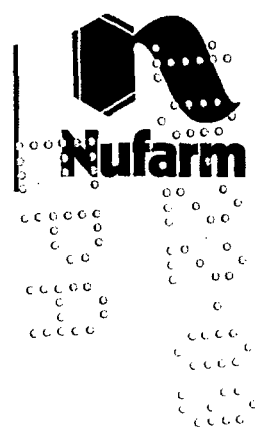
Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

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. 228-386
 EPA EST. NO. 228-IL-1

Manufactured For
 NUFARM AMERICAS INC.
 150 Harvester Drive
 Burr Ridge, IL 60527



NET CONTENTS LBS.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION / PRECAUCION**

Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

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.

Loaders, applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks, and
- Chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinylchloride. In addition, applicators using tractor drawn spreaders and all loaders must wear a NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N2, R, P, or HE filter.

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.

USER SAFETY RECOMMENDATIONS	
Users Should:	
<ul style="list-style-type: none"> • Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. • Remove clothing/PPE 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. 	

FIRST AID	
IF IN EYES	<ul style="list-style-type: none"> • 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.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Wash with plenty of soap and water. • 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.

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

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. Apply this product only as specified on the label.

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 LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

Application Restrictions: 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. Total application of this product must not exceed 291 pounds of product per acre per year (12 pounds of bromacil per acre per year).

Application with a spoon, a pump-feed backpack spreader or a gravity-feed backpack spreader is prohibited.

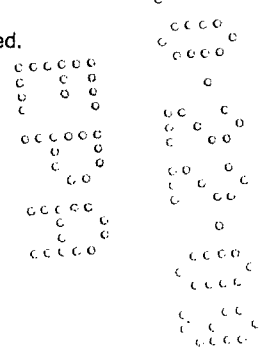
12.0 pounds active ingredient per acre in areas of high rainfall or dense vegetation.

8.0 pounds active ingredient per acre in all other areas.

Apply a maximum of two applications per year. Minimum treatment interval: 90 days.

GENERAL PRECAUTIONS AND RESTRICTIONS

Do not enter or allow others to enter until dusts have settled.



6/7

NON-CROP WEED CONTROL – INDUSTRIAL USE ONLY

This product is a non-selective herbicide for controlling a wide range of annual and perennial weeds and grasses. It is recommended only for non-cropland areas such as rights-of-way for pipeline, utility, highway, and railroad; and industrial areas such as airports, petroleum tank farms, lumberyards, and plant sites. 100 to 200 pound applications of this product per acre usually result in a non-productive condition of the soil for a period of a year or more. The duration of non-productivity is dependent upon rainfall, soil type, and other conditions.

This product should be applied as furnished with a seed spreader, a fertilizer spreader, or a shaker-type applicator which will distribute the chemical uniformly over the areas to be treated. For the control of annual and most perennial weeds and grasses, apply this product at the rate of 200 to 291 pounds per acre; on smaller plots, 0.5 to 0.7 pound per 100 square feet. Repeat spot treatment may be required when deep-rooted perennial weeds are present. To obtain best results, this product should be applied to the ground where it will be absorbed by the roots. Applications made early in the season have been found to give results superior to applications at a later seasonal date. This product may, however, be applied at any time of the year. Maximum effectiveness in arid regions is obtained when application is made just prior to the rainy season. Users should consult state agricultural experimental stations or extension service weed specialists for recommendations as to use in their particular area. The total use of this product and other bromacil containing products cannot exceed the maximum rate of 12 pounds of active ingredient (ai) per acre per year.

IMPORTANT (Not for Residential Use): Do not apply on or near valuable woody or herbaceous plants or on areas where their roots may extend because of possible injury to such plants. Thoroughly clean spreading equipment with a suitable chemical cleaner before using for other purposes (or do not use same spreading equipment for other purposes). Do not use on croplands or any land to be used for subsequent cropping. Keep animals off treated areas.

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. CO1-0132C (W.D. WA). for further information, please refer to <http://www.epa.gov/espp/wtc/>.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Always store pesticides in a secured warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides.

PESTICIDE DISPOSAL: Open dumping is prohibited. Waste or rinse water that cannot be used according to label instructions must be disposed of according to applicable Federal, State or local procedures. Place in a closed, labeled container for proper disposal.

Rigid, Nonrefillable Containers small enough to shake (less than 50 lbs.):

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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. 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.

For nonrefillable bags of granular or dry formulation

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available, or dispose of empty bag in a sanitary landfill or 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) 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 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.

ccccccc
ccccccc
ccccccc
ccccccc
ccccccc

7/7

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

If you do not agree with or do not accept any of the 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.

(RV102009N)

