



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

EPA Reg. Number:

228-552

Date of Issuance:

DEC 28 2007

Term of Issuance:

Unconditional with label comments

Name of Pesticide Product:

NUP06127 HERBICIDE

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Mr. George Meindl
 Nufarm Americas, Inc.
 150 Harvester Drive, Suite 200
 Burr Ridge, IL 60527

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 "228-552"**
 - b. **Make all of the changes detailed in the attached document Summary of Comments on 000228-00LLE NUP06127 EPA RV061507 submitted version emailed to Tobi on 12.12.2007.epacomment.pdf**

12-28-07

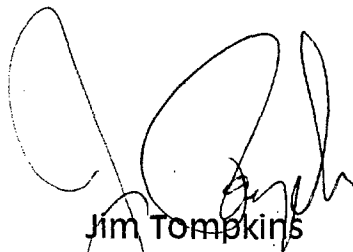
3. Submit final labeling for this product **within 30 days** of the date of this letter.

4. Submit studies of one year storage stability (Guideline 830.6317) and corrosion characteristics (Guideline 830.6320). The observations must be made at 0, 3, 6, 9, and 12 month intervals. The results should be submitted to the Agency in an electronic file and a paper copy.

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 000228-00LLE NUP06127 EPA RV061507 submitted version emailed to Tobi on 12.12.2007. epacomments.pdf

Page: 1

Author: tsnyder
Subject: Inserted Text
Date: 12/21/2007 3:36:26 PM

T_A

Author: tsnyder
Subject: Replacement Text
Date: 12/21/2007 2:22:26 PM


T_A ON

Page: 2

Author: tsnyder

Subject: Note

Date: 12/28/2007 3:15:54 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: 3

Author: tsnyder
Subject: Replacement Text
Date: 12/21/2007 4:03:00 PM

T_A on

Author: tsnyder
Subject: Replacement Text
Date: 12/21/2007 3:05:34 PM

T_A 1 year

Author: tsnyder
Subject: Replacement Text
Date: 12/21/2007 4:05:33 PM

T_A Portions of grazed areas that intersect treated non-cropland, rights-of-way and forestry sites may be treated at up to 8 lb ae per acre if the area to be treated on the day of application comprises no more than 10% of the total grazable area.

Author: tsnyder
Subject: Inserted Text
Date: 12/21/2007 3:06:46 PM

T_A at that site

Page: 5

Author: tsnyder
Subject: Inserted Text
Date: 12/21/2007 3:54:56 PM
T Rights-of-way, Fence Rows, and any area where grazing or harvesting is allowed

Author: tsnyder
Subject: Note
Date: 12/27/2007 1:56:59 PM
Add the following text:

To ensure the protection of threatened and endangered plants when applying NUP061507 to old world climbing fern:

1. Federal agencies must follow NEPA regulations to ensure protection of threatened and endangered species.
 2. State agencies must work with the Fish and Wildlife Service or the Service's designated state conservation agency to ensure protection of threatened and endangered plants.
 3. Other organizations or individuals must operate under a Habitat Conservation Plan if threatened or endangered plants are known to be present on the land to be treated.
-

Page: 6

Author: tsnyder
Subject: Inserted Text
Date: 12/21/2007 3:18:20 PM
T_A To the extent consistent with applicable law,

Author: tsnyder
Subject: Inserted Text
Date: 12/21/2007 3:19:08 PM
T_A To the extent allowable by applicable law,

Author: tsnyder
Subject: Inserted Text
Date: 12/21/2007 3:19:28 PM
T_A To the extent allowable by applicable law.

NUP06127

HERBICIDE

FOR THE CONTROL OF WOODY PLANTS 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 AROUND FARM BUILDINGS. USE ON THESE SITES MAY INCLUDE APPLICATIONS TO GRAZED AREAS AS WELL AS ESTABLISHMENT AND MAINTENANCE OF WILDLIFE OPENINGS.

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 lbs./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.)

SEE SIDE PANELS 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.
EPA EST. NO.

MANUFACTURED BY
NUFARM AMERICAS INC.
BURR RIDGE, IL 60527



NET CONTENTS GALS.

ACCEPTED
with COMMENTS
In EPA Letter Dated

000000-00000.20070516.NEW
NUP06127

DEC 28 2007

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

228-552

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

Causes moderate eye irritation. Avoid contact with eyes, skin or clothing.

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 EPA chemical resistance category selections chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as Barrier Laminate, Nitrile Rubber, Neoprene Rubber, or Viton
- 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.

| USER SAFETY RECOMMENDATIONS | |
|---|--|
| Users should: | |
| <ul style="list-style-type: none"> • Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. • Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. • Users should 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 ON SKIN OR CLOTHING | <ul style="list-style-type: none"> • 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 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. |
| HOT LINE NUMBER | |
| <p>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.</p> | |

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 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 ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

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 for ground application only and is to be used 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 is 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, neoprene rubber, and viton; shoes plus socks.

NON-AGRICULTURAL USE REQUIREMENTS

For Ground Application Only. 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 allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

GENERAL INFORMATION

This 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, communications 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.

USE PRECAUTIONS AND RESTRICTIONS

The state of Arizona has not approved this product for use on plants grown for commercial productions; 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 this product 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 HAZING 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 product moves with the treated plant, do not use this product on parts of a multiple stem plant if injury to the untreated portion (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

| | | |
|----------------------------|------------------------------|------------------------------|
| 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 [†] | honeylocust | pine, red |
| Australian pine | hombear (blue beach) | pine, white |
| basswood | huisache | plum (<i>Prunus</i> 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, bigleaf [†] | poplar, balsam |
| blackgum | maple, mountain | privet [†] |
| boxelder | maple, red | redcedar, eastern |
| bois d'arc | maple, silver | rose, multiflora |
| briar, green | maple, striped | salt cedar [†] |
| Brazilian pepper | maple, sugar | sassafras [†] |
| cherry, black [†] | maple, vine | sumac, smooth [†] |
| cherry, choke | mesquite ^{†,††} | sumac, staghorn [†] |
| cherry, pin | mountain-laurel | sweetgum |
| cottonwood | oak, black ^{††} | sycamore |
| dogwood, flowering | oak, blackjack ^{††} | tallowtree, Chinese |
| dogwood, red-osier | oak, chestnut | tamarack |
| elbow bush | oak, post ^{††} | tanoak |
| elm, American | oak, red | walnut |
| elm, winged [†] | oak, scarlet | waxmyrtle |
| gallberry | oak, water | willow |
| greenbriar [†] | oak, white | yaupon |
| guava | olive, autumn | yellow poplar |
| hackberry | olive, Russian | yucca |
| hawthorne | osage, orange | |

†.....Some resprouting may occur.

††.....Not recommended for streamline basal treatment.

†††...Suppression only with streamline basal bark treatment.

APPLICATION METHODS

MAXIMUM USE RATES PER ACRE PER YEAR

| Maximum Application Rate | Rangeland and Permanent Pastures | Forestry Sites | Non-Crop Areas |
|---------------------------|----------------------------------|-----------------------|--------------------------|
| Gallons per Acre per Year | 2.7 gallons (2 lbs. ae) | 8 gallons (6 lbs. ae) | 10.7 gallons (8 lbs. ae) |

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 this product 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 product to wet the area adjacent to the cambium and bark around the entire circumference and the sides of the 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 this product 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, shortleaf, 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 live oak species, including blackjack, bluejack, laurel, live, post and turkey 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.

TREATMENT OF OLD WORLD CLIMBING FERN (*Lygodium microphyllum*)

Stem/Foliage Application: To control old world climbing fern, where the plants are invading and overgrowing host trees, apply this product as a coarse low-pressure directed spray to thoroughly wet foliage and stems in a 1 to 3 foot band. Apply when the ferns are actively growing and not under environmental stress.

SPECIAL USE PRECAUTION: Direct the spray onto target plants and prevent the spray from coming into contact with the bark or foliage of the host tree, otherwise the host tree may be severely damaged or destroyed by the treatment. Where necessary, use an impervious shield of wood, plastic, or metal to prevent spray from contacting the host tree.



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: Triple rinse (or equivalent) with 10 drops or more of a liquid hand soap and water or an oil basal product such as kerosene or diesel fuel and spray rinsate on undesirable vegetation, in target area. Offer containers for recycling or reconditioning where allowed, or puncture and dispose of in a sanitary landfill, or by incineration if approved by state and local procedures.

CONTAINER DISPOSAL FOR REFILLABLE CONTAINER: Close all openings which have been opened during use and replace all caps. For returns of empty container, contact Nufarm Americas, Inc. Customer Service Department at 1-800-345-3330 to obtain proper handling instructions.

GENERAL: Consult Federal, State or local disposal authorities for approved alternative procedures.

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.

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, 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, 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 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.

(NEW)