

352-795

8/30/2010

27



**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**Office of Pesticide Programs**  
**Registration Division (7505P)**  
**Ariel Rios Building**  
**1200 Pennsylvania Ave., NW**  
**Washington, D.C. 20460**

EPA Reg. Number:

352-795

Date of Issuance:

AUG 30 2010

Term of Issuance: **Conditional**

Name of Pesticide Product:

**DuPont DPX-KJM44 10%  
Manufacturing Concentrate**

**NOTICE OF PESTICIDE:**

Registration  
 Reregistration  
 (under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

**E.I. du Pont de Nemours and Company**  
**1007 Market Street**  
**Wilmington, DE 19898**

**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 provided that you:

1. Submit and/or cite all data required for registration review of your product when the Agency requires all registrants of similar products to submit data.
2. Submit the following product chemistry studies within **one (1) year** from the date of this notice:
  - a. Guideline 830.6317: Storage Stability
  - b. Guideline 830.6320: Corrosion Characteristics
3. Submit the required data as stated in items 2-4 on the technical chemical registrations for DuPont Aminocyclopyrachlor Technical (Reg. No. 352-782) and DuPont Aminocyclopyrachlor Methyl Technical (Reg. No. 352-783).

The basic confidential statement of formula (CSF) dated January 22, 2010 is acceptable.

A stamped copy of the label is enclosed for your records. Submit one (1) copy of the revised final printed label before you release the product for shipment. Products shipped after eighteen (18) months from the date of this notice or the next printing of the label, whichever occurs first, must bear the new revised label. 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.

Signature of Approving Official:

**Jim Tompkins**  
**Product Manager 25**  
**Herbicide Branch**  
**Registration Division (7505P)**

Date:

AUG 30 2010

2/1

**ACCEPTED**  
AUG 30 2010  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under  
EPA Reg. No. 352-795



### DuPont™ DPX-KJM44 10% Manufacturing Concentrate

FOR FORMULATION OF HERBICIDES ONLY

ACTIVE INGREDIENT:	BY WEIGHT
<b>Aminocyclopyrachlor methyl</b>	
Methyl 6-amino-5-chloro-2-cyclopropyl-4-pyrimidinecarboxylate* . . . . .	10.0%
<b>OTHER INGREDIENTS:</b> . . . . .	90.0%
<b>TOTAL</b>	<b>100.00 %</b>

\*Acid Equivalent: 6-Amino-5-chloro-2-cyclopropyl-4-pyrimidinecarboxylic acid – 9.38%

EPA Reg. No. 352-795

EPA Est. No.: \_\_\_\_\_

Nonrefillable Container Net: \_\_\_\_\_

OR

Refillable Container Net: \_\_\_\_\_

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

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

**FIRST AID**

**IF IN EYES:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-441-3637 for emergency medical treatment information.

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

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

**ENVIRONMENTAL HAZARDS**

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.

**DIRECTIONS FOR USE**

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

Only for formulation into an end use herbicide for the following uses:

1. **Terrestrial Non-crop:** including private, public and military lands as follows: uncultivated non-agricultural areas (such as airports, highway, railroad and utility rights-of-way, sewage disposal areas, etc.); uncultivated agricultural areas - non-crop producing (such as farmyards, fuel storage areas, fence rows, non-irrigation ditchbanks, barrier strips, etc.); industrial sites - outdoor (such as lumberyards, pipeline and tank farms, etc.) and natural areas (such as wildlife management areas, wildlife openings, wildlife habitats, recreation areas, campgrounds, trailheads, and trails), golf course turf grass, athletic fields, recreational areas, sod/turf farms.  
**Domestic Outdoor:** Landscape turf grass
2. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.
3. Uses for experimental purposes that are in compliance with USEPA requirements.

Formulators using this product are responsible for obtaining EPA registration of their formulated product.

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store product in original container only. Do not contaminate water, other pesticides, fertilizer, food or feed in storage.

**PESTICIDE DISPOSAL:** Do not contaminate water, food or feed by disposal. Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

**CONTAINER HANDLING:** Refer to the Net Contents section of this product's labeling for the applicable "Nonrefillable Container" or "Refillable Container" designation.

**Nonrefillable Plastic and Metal Containers (Capacity Equal to or Less Than 50 Pounds):** 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, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities

**Nonrefillable Plastic and Metal Containers (Capacity Greater Than 50 Pounds):** 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. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities

**Nonrefillable Plastic and Metal Containers, e.g., Intermediate Bulk Containers [IBC] (Size or Shape Too Large to be Tipped, Rolled or Turned Upside Down):** Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying the contents from this container into application equipment or mix tank and before final disposal using the following pressure rinsing procedure. Insert a lance

fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

**Nonrefillable Paper or Plastic Bags, Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners:** Nonrefillable container. Do not reuse or refill this container. Completely empty paper or plastic bag, fiber sack or drum liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer for recycling if available or dispose of empty paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

**Refillable Fiber Drums With Liners:** Refillable container (fiber drum only). *Refilling Fiber Drum:* Refill this fiber drum with DuPont™ DPX-KJM44 10% Manufacturing Concentrate containing aminocyclopyrachlor methyl only. Do not reuse this fiber drum for any other purpose. Cleaning before refilling is the responsibility of the refiller. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. *Disposing of Fiber Drum and/or Liner:* Do not reuse this fiber drum for any other purpose other than refilling (see preceding). Cleaning the container (liner and/or fiber drum) before final disposal is the responsibility of the person disposing of the container. Offer the liner for recycling if available or dispose of liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner. To clean the fiber drum before final disposal, completely empty the fiber drum by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer the fiber drum for recycling if available or dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

**All Other Refillable Containers:** Refillable container. *Refilling Container:* Refill this container with DuPont™ DPX-KJM44 10% Manufacturing Concentrate containing aminocyclopyrachlor methyl only. Do not reuse this container for any other purpose. Cleaning before refilling is the responsibility of the refiller. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn out threads and closure devices. If damage is found, do not use the container, contact DuPont at the number below for instructions. Check for leaks after refilling and before transporting. If leaks are found, do not reuse or transport container, contact DuPont at the number below for instructions. *Disposing of Container:* Do not reuse this container for any other purpose other than refilling (see preceding). Cleaning the container before final disposal is the responsibility of the person disposing of the container. To clean the container before final

disposal, use the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

**Outer Foil Pouches of Water Soluble Packets (WSP):** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or, dispose of the empty outer foil pouch in the trash as long as WSP is unbroken. If the outer pouch contacts the formulated product in any way, the pouch must be triple rinsed with clean water. Add the rinsate to the spray tank and dispose of the outer pouch as described previously.

Do not transport if this container is damaged or leaking. If the container is damaged, leaking or obsolete, or in the event of a major spill, fire or other emergency, contact DuPont at 1-800-441-3637, day or night.

**LIMITATION OF WARRANTY AND LIABILITY**

NOTICE: Read this Limitation of Warranty and Liability Before Buying or Using This Product. If the Terms Are Not Acceptable, Return the Product at Once, Unopened, and the Purchase Price Will Be Refunded. DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the directions under normal conditions.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BUYER'S OR USER'S BARGAINED-FOR EXPECTATION IS CROP PROTECTION. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR

7/7

CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT, OR AT THE ELECTION OF DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

To the extent consistent with applicable law that allows such requirement, buyer and all users shall promptly notify DuPont or a DuPont Ag Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise, or be barred from any remedy.

This Limitation of Warranty and Liability may not be amended by any oral or written agreement.

Produced for: E. I. du Pont de Nemours and Company, 1007 Market Street, Wilmington, Delaware 19898 U.S.A.

A01224838 (TD-133 050510)

Made in \_\_\_\_\_