

05/03/1991

MAY 03 1991

Mr. P. R. Yagelowich
AGSCO, Inc.
P.O. Box 458
Grand Forks, ND 58206-0458

Dear Mr. Yagelowich:

Subject: AGSCO 400
EPA Registration No. 554-83
Application Dated March 12, 1991 and Resubmission
of Labeling Dated April 23, 1991

The labeling for the subject pesticide product submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable provided that you:

1. Delete the restrictions that reads: "Do not feed treated straw to livestock." and "Do not spray boot to dough stage." as these are not required if timing of application is specified as: "between stooling and joint stages".
2. Delete the heading "Nonaquatic Uses". As written, this implies that there may be aquatic uses of this product, which is contrary to fact.
3. Submit five (5) printed copies of the final printed labeling before release of the product for shipment under this label.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, Section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the labeling is enclosed for your records.

Sincerely yours,

Joanne I. Miller
Product Manager 23
Fungicide-Herbicide Branch
Registration Division (H-7505C)

AGSCO 400 HERBICIDE

A LOW VOLATILE FORMULATION

ACTIVE INGREDIENT:

*Isooctyl ester of 2-4-Dichlorophenoxyacetic acid	71.26%
INERT INGREDIENTS	28.74%
TOTAL.....	100.00%

*2-4-Dichlorophenoxyacetic acid equivalent 46.6%
Contains 4 Pounds Acid Equivalent Per Gallon

**KEEP OUT OF REACH OF CHILDREN
WARNING
STATEMENT OF PRACTICAL TREATMENT**

IF SWALLOWED: Do not induce vomiting. If vomiting occurs spontaneously, keep airway clear. Do not induce vomiting or give anything to an unconscious person. Consult a physician.
IF ON SKIN: Wash with plenty of soap and water. Get medical attention if irritation persists.
IF IN EYES: Flush with plenty of water. Get medical attention if irritation persists.

EPA EST. NO. 554-ND-1
EPA REG. NO. 554-83

NET CONTENTS:
2.5 U.S. GALLONS
(9.5 Liters)

Manufactured By: AGSCO, INC., Grand Forks, ND

ACCEPTED
with COMMENTS
EPA Letter Dated:

May 3, 1991
Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 254-83

DIRECTIONS FOR USE

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

WEEDS CONTROLLED: Mustard, Frenchweed, Arrowhead, Cocklebur, Dandelion, Gumweed, Marsh Elder, Hedge Bindweed, Pigweed, Ragweed, Wild Buckwheat, Plantain, and other broadleaf weeds.

WHEAT, BARLEY, RYE: Use 1/2 to 1 pint of this herbicide per acre in 3-5 gallons of water by airplane application or 5 gallons of water by ground applicator. Make application only between stooling and joint stages. Do not spray from boot to dough stage. Notice: Do not permit dairy animals or meat animals being finished for slaughter to forage treated grain fields within two weeks after treatment. Do not feed treated straw to livestock.

CORN: Use 1/2 to 1 pint of herbicide per acre in 5 gallons of water. Make application following emergence of majority of weeds but before weeds have damaged the corn. Post emergence application of this herbicide should be made after emergence but before tasseling. Do not apply from tasseling to dough stage. Use drop nozzles when corn is over 8 inches high. Strains and varieties of corn vary in their tolerance 2,4-D and particular care should be exercised in using ester formulations. Notice: Do not forage or feed corn fodder for seven days following application.

RED POTATOES: Use 1/8 pint of this herbicide per acre in 5-25 gallons of water by ground applicators. To intensify red color and improve skin appearance apply when potatoes are in pre-bud stage (7-10 inches high); second application 10-14 days later.

WOODY PLANT CONTROL IN NON-CROP AREAS: In areas such as highway right of ways and fence rows use 1 1/2 to 3 pints of this herbicide per acre in 5 gallons of water by ground applicator. In the control of plants such as Willow and Poison Oak, it is necessary to have thorough coverage. Certain weeds and woody plants will form new growth after treatment and repeat applications may be necessary.

USE PRECAUTIONS

Avoid use of small-diameter spray nozzles. Avoid spray drifts onto susceptible plants such as vegetables, flowers, tomatoes, beans, sugarbeets, sunflowers and other legumes. Coarse sprays are less likely to drift. DO NOT spray at all in the vicinity near susceptible plants to prevent any vapor drift. Local conditions may affect the use of herbicides. State agricultural authorities in many states issue recommendations to fit local conditions. Be sure that the use of this product conforms to all applicable conditions.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Causes skin irritation. Avoid breathing spray mist. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

NONAQUATIC USES: This product is toxic to Aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and non target plants. Do not apply directly to water or wetlands (swamps, bogs, marshes, and potholes). Do not contaminate water when disposing of equipment washwaters.

GROUNDWATER CONTAMINATION: Most cases of ground water contamination involving phenoxy herbicides such as 2-4-D have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2-4-D pesticides at such sites to prevent contamination of groundwater supplies. Use of closed system 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 ground water contamination.

Do not contaminate water by cleaning or equipment or disposal of wastes. Do not apply directly to water. Do not apply when weather conditions favor drift from target area, as this product may injure cotton, beans, other vegetables, certain legumes and ornamentals. Toxic to fish. Excessive amounts of this product in soil may temporarily inhibit seed germination or plant growth.

STORAGE AND DISPOSAL

STORAGE: DO NOT contaminate water, food or feed by storage or disposal, or cleaning of equipment. DO NOT store near fertilizer, other pesticides or seeds. Store at a temperature above 0 degrees Fahrenheit. If allowed to freeze, remix before use.

COMBUSTIBLE - Keep away from heat or open flame.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. 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) or dispose in an approved landfill. DO NOT BURN. Consult Federal, State, or Local Authorities for approved alternate procedures. DO NOT reuse empty container. Or if this is an "OUT-N-BACK" returnable container, it must be returned to AGSCO INC.

WARRANTY LIMITATIONS, DISCLAIMER AND LIMITATION OF REMEDY

AGSCO, INC. warrants that this product (a) conforms to the chemical description on the label and (b) is reasonably fit for the purpose stated on the label when used in strict accordance with the directions therein under normal growing conditions. This is the only warranty made on this product. The manufacturer neither makes nor intends, nor does it authorize any agent or representative to make any other warranties, express or implied, and expressly excludes all implied warranties of merchantability or fitness for a particular purpose.

Buyer or user's exclusive remedy and manufacturer's or seller's exclusive liability for any and all claims, losses, damage, or injuries resulting from the use or handling of this product, whether or not based on contract, negligence, strict liability in tort or otherwise shall be limited to one of the following, at the election of the seller:

- (1) Refund of the purchase price paid by the buyer or user for the product bought and used with respect to the claim for which damages are sought, or
- (2) Replacement of the amount of product used incident to the crop for which damages are sought.

The seller will not be liable for consequential or incidental damages or losses resulting from the use or handling of this product.

The terms of this limited warranty and remedy cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the seller is authorized to vary or exceed the terms of the limitations stated above.