

04/28/1993

28 APR 1993

Alice Walker, Ph.D.
AGSCO, Inc.
P.O. Box 458
Grand Forks, ND 58206-0458

Dear Dr. Walker:

Subject: AGSCO 400 Herbicide
EPA Registration No. 554-83
Application Dated December 29, 1992, To Change
Volume of Water for Applications To Wheat, Barley
and Rye; and To Add Aerial Application for Red Potato
Use

The proposed 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 spray boot to dough stage." as this is not required if timing of application is specified as: "between stooling and joint stages"; and it can be misleading in regard to timing of application of this product.
2. Revise the Environmental Hazards statements on the proposed label to include the following statement: "Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark".
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)

ENCLOSURE

Encl: Lisette #007: 04-28-93

Rec'd 1-25-93

2/5

1 lb - 500 cc/gal

X in margins

S. Wilson

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/AVISO

PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Do not induce vomiting. If vomiting occurs spontaneously, keep airway clear. Do not induce vomiting or give anything by mouth to an unconscious person. Consult 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 Reg. No. 554-83

EPA Est. No. 554-ND-1

Manufactured By:

ACCEPTED
with **COMMENTS**
in EPA Letter Dated:

Net Contents

AGSCO, INC.
Grand Forks, ND

28 APR 1993

2 1/2 Gallons

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, this pesticide is
registered under EPA Reg. No.
554-83

PRECAUTIONARY STATEMENTS

WARNING

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Causes skin irritation. Avoid breathing spray mist. Do not apply this product in such a manner as to directly or through drift expose workers or other persons. The area being treated must be vacated by unprotected persons.

When mixing, loading, or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical-resistant gloves (nitrile), long-sleeved shirt, long pants, socks, and shoes. For aerial applicators in enclosed cockpits and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required.

Wash hands, face, and arms with soap and water as soon as possible after mixing, loading, or applying this product. Wash hands, face, and arms with soap and water before eating, smoking, or drinking. Wash hands and arms before using toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower.

If this container contains over 1 gallon and less than 5 gallons, persons engaged in open pouring of this product must also wear coveralls or a chemical-resistant apron.

If this container contains 5 gallons or more in capacity, a mechanical system (probe and pump) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.

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. This product is toxic to fish. Excessive amounts of this product in soil may temporarily inhibit seed germination or plant growth. Do not apply when weather conditions favor drift from target area as this product may injure cotton, beans, other vegetables, certain legumes and ornamentals.

GROUNDWATER CONTAMINATION: Most cases of groundwater 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 groundwater contamination.

PHYSICAL OR CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

DIRECTIONS FOR USE

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

AGRICULTURAL USE REQUIREMENTS

Cont
be accepted?

Do not enter or allow entry into treated areas during the restricted-entry interval (REI) of 24 hours. Because certain states may require more restrictive reentry intervals for various crops treated with this product, consult your State Department of Agriculture for further information.

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, wear: eye protection (face shield or safety glasses), chemical-resistant gloves (nitrile), long-sleeved shirt, long pants, socks, and shoes.

STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE OR DISPOSAL.

STORAGE

Do not store near fertilizer, other pesticides or seeds. Store at a temperature above 0 degrees Fahrenheit. If allowed to freeze, remix before use.

DISPOSAL

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) and dispose of in an approved landfill. Do not burn. Consult Federal, State, or local authorities for approved alternate procedures. Do not reuse empty container. If this is an "OUT-N-BACK" returnable container, it must be returned to AGSCO, Inc.

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.

Use of this product controls the following weeds: **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 enough spray volume to provide uniform coverage of weeds, usually 5 to 20 gallons per acre by ground equipment and 3 to 5 gallons by aircraft. Make application only between stouling and joint stages. Do not spray from boot to dough stage. 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.

all 3
1/2 pint
4-5 pints

CORN: Use 1/2 to 1 pint of herbicide per acre in 5 gallons of water. Make application following emergence of majority 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 to 2,4-D and particular care should be exercised in using ester formulations. 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 or aerial application. 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 rights-of-way 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.

WARRANTY LIMITATIONS, DISCLAIMER AND LIMITATION OF REMEDY

AGSCO, INC. warrants that this product conforms to the chemical description on the label and 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.

Revised 12-31-92
Amend. "Wheat, Barley, Rye," "Red Potatoes," update label

