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 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

FEB 14 1995

Alice Walker, Ph.D.
 Agsco, Inc.
 c/o Regulatory Consulting
 47 Country Club Drive
 Senatobia, MS 38668

Dear Dr. Walker:

Subject: Label Amendment - 2,4-D Use in Reduced or No-Tillage Soybeans (Pre-plant Only); Add Uses on Fallowland and Crop Stubble, Spot Treatment, and Pre-Harvest Application on Wheat, Barley, and Rye
 Agsco 400 Herbicide
 EPA Registration No. 554-83
 Your Submission Dated September 22, 1994

The Agency has reviewed the labeling amendments referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act. It has been determined that the amended labeling for uses on fallowland and crop stubble, spot treatment, and pre-harvest treatment on wheat, barley, and rye are acceptable. These amendments are accepted without condition except as specified in comment #4 of this letter.

The Agency is conditionally approving an amendment for soybeans to the registration of the above-referenced product under the authority of section 3(c)(7)(B) of the Federal Insecticide, Fungicide Act (FIFRA). This amendment allows use of the subject product on reduced or no-tillage soybeans (pre-plant only) with a maximum permissible level for residues of the herbicide in or on soybeans of 0.1 ppm. This amendment will expire automatically on December 31, 1995. In addition, during the period that this amendment is effective, it will be subject to the conditions listed below.

1. To maintain your registration on pre-plant soybeans, the following data must be submitted to the Agency by the Industry Task Force II for 2,4-D Research Data:

a. Field residue trials, using proposed and exaggerated rates with the ester formulation, conducted in seven (7) states of TN, AR, IN, IL, MN, MO and MS or LA.

DK: 305-7546; FHB/PM23		CONCURRENCES					
SYMBOL	750.5C						
SURNAME	D. KENNY						
DATE	2/13/95						

- b. Bridging studies with the ester and amine formulations conducted in three (3) locations, likely IL, MN, and MS or LA.
- c. Plant metabolism studies, in three (3) representative, dissimilar crops
- d. Animal metabolism studies (poultry and ruminant) as outlined in the Residue Chemistry Chapter of 2,4-D Registration Standard
- e. Adequate storage stability data for all analyses

2. Submit/cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.

3. Submit production information (pounds or gallons produced) for the product for the fiscal year in which the use on pre-plant soybeans is conditionally registered, in accordance with FIFRA section 29. The fiscal year begins October 1 and ends September 30. The product information will be submitted to the Agency no later than November 15, following the end of the preceding fiscal year.

This information should be submitted to:

Environmental Protection Agency
 Registration Division (7505C)
 Registration Support Branch
 401 M Street, S.W.
 Washington, DC 20460

4. Make the following label changes before you release the product for shipment:

- a. Add a referral statement to the front panel to refer users to additional precautionary statements found elsewhere on the labeling.
- b. Since this product has no aquatic uses, the phrase "For terrestrial uses..." may be deleted from the third sentence in the Environmental Hazards section.

5. Submit one (1) copy of your final printed labeling before you release the product for shipment.

You should note that if you fail to satisfy any of the conditions imposed on this registration, e.g., you fail to submit the required data or the data submitted were not generated in accordance with the applicable test guidelines, EPA may issue a notice to cancel the amendment for soybeans under FIFRA section 6(e).

You should also note that, regardless of whether you satisfy all applicable conditions, the conditional registration for pre-plant soybeans will expire automatically on December 31, 1995. Sale and distribution of the subject product bearing labeling for this use on reduced or no-tillage soybeans (pre-plant only) after December 31, 1995 will be illegal. The tolerance authorizing residues of the subject product will also expire automatically, two (2) years after the date published in the FEDERAL REGISTER. After that date, sale or distribution of food in interstate commerce containing any residue of the subject product will be a violation of the Federal Food, Drug, and Cosmetic Act.

Finally, once the required data have been submitted and a permanent tolerance established, EPA will entertain an application to amend the registration of the subject product without any special limitations on the duration of the amendment.

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

Sincerely yours,

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

Enclosure

10710

ACCEPTED
with COMMENTS
In EPA Letter Dated

FEB 14 1995

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

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

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.)

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:

Net Contents

AGSCO, INC.
Grand Forks, ND

2 1/2 Gallons

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.

PERSONAL PROTECTIVE EQUIPMENT

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 selection 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, protective eyewear, and chemical-resistant apron when cleaning equipment, mixing, or loading.

If this container contains over 1 gallon and less than 5 gallons, mixers and loaders who do not use a mechanical system (probe and pump) to transfer the contents of this container must wear coveralls or a chemical-resistant apron in addition to the other required PPE.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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. After each day of use, clothing or PPE must not be reused until it has been cleaned.

ENGINEERING CONTROLS STATEMENTS

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. If the mechanical system is used in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4)], the handler PPE requirements may be reduced or modified as specified in the WPS.

When handlers use enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- 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.
- 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.

ENVIRONMENTAL HAZARDS

NONAQUATIC USES: This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and non target plants. For terrestrial uses, do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high mark. 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. 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 only 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 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, or viton, shoes plus socks, and protective eyewear.

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.**

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.

SOYBEANS (Preplant only): For Use in Crop Residue Management Systems: Apply 1 pint per acre **not less than 7 days** prior to planting soybeans or 2 pints per acre **not less than 30 days** prior to planting. Apply to postemergent weeds when small, actively growing, and free of stress caused by extremes in climatic conditions, diseases, or insect damage. The response of individual weed species is variable. Consult your local county agent or state Agricultural Extension Service or crop consultant for advice. Use the higher rate on larger weeds and when perennials are present. (See WEEDS CONTROLLED below.)

Apply using air or ground equipment in sufficient gallonage to obtain adequate coverage of weeds. Use 2 or more gallons of water per acre in aerial equipment and 10 or more gallons of water per acre in ground equipment.

WEEDS CONTROLLED

alfalfa*	horseweed or maretail	ragweed, giant
bindweed*	ironweed	shepherdspurse
bullnettle	lambsquarters, common	smartweed, Pennsylvania*
bittercress, smallflowered	lettuce, prickly	sowthistle, annual
buttercup, smallflowered	morningglory, annual	speedwell
Carolina geranium	mousetail	thistle, Canada*
cinquefoil, common & rough	mustard, wild	thistle, bull
clover, red*	onion, wild*	velvetleaf
cocklebur, common	pennycress, field	vetch, hairy*
dandelion*	peppergrass*	Virginia copperleaf
dock, curly	plantains	
evening primrose, cutleaf	purslane, common	*Partially controlled
garlic, wild*	ragweed, common	

After applying, plant soybean seed as deep as practical or at least 1-1/2 to 2 inches deep. Adjust the planter press wheel, if necessary, to ensure that planted seed is completely covered.

If desired, this product may be applied preplant to soybeans in tank mixtures with other herbicides such as Poast, Poast Plus, Roundup, Roundup D-Pak, Honcho, Gramoxone Extra, Prowl DG, Prowl 3.3 EC, Pursuit Plus, Scepter 70 DG, Squadron and others that are registered for preplant soybean use.

Compatible crop oil concentrates, agricultural surfactant, and fluid fertilizers approved for use on growing crops may increase the herbicidal effectiveness of 2,4-D on certain weeds and may be added to the spray tank. Read and follow all directions and

precautions on this label and on all labels of adjuvants or fertilizers mixed with this product.

NOTE: Unacceptable injury to soybeans planted in treated fields may occur. Whether or not soybean injury occurs and the extent of the injury will depend on weather and agronomic factors such as the amount of weed vegetation and previous crop residue present. Injury is more likely under cool rainy conditions and where there is less weed vegetation and crop residue present.

Not registered for use in California.

RESTRICTIONS AND LIMITATIONS FOR USE IN SOYBEANS

Do not apply this product prior to planting soybeans if you are not prepared to accept the results of soybean injury including possible loss of stand and yield.

Do not use on low organic sandy soils (less than 1.0%).

Do not apply this product when weather conditions such as temperature, air inversions, or wind favor drift from treated areas to susceptible plants.

Do not mow or cultivate weeds prior to treating with this product as poor control may result.

Do not feed treated hay, forage, or fodder or graze treated soybeans to livestock. Do not feed or graze treated cover crops to livestock.

Only one application of this product may be made prior to planting soybeans per growing season.

Do not replant fields treated with this product in the same growing season with crops other than those labeled for 2,4-D use.

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 stooling and joint stages. **Preharvest Treatment** - Apply 1 to 2 pints per acre when grains are in the hard dough stage to control large weeds that may interfere with harvest. Best results will be obtained when soil moisture is sufficient to cause succulent weed growth. 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.

WEED CONTROL IN FALLOW LAND AND CROP STUBBLE: Apply 1 to 2 pints per acre for control of annual and biennial broadleaf weeds. Use the higher rate on older drought stressed plants or hard-to-kill species. Apply 2 to 6 pints per acre for control of perennial broadleaf weeds or 4 to 6 pints for control of wild onion and wild garlic. Spray weeds in the bud to bloom stage or in good vegetative growth. Do not plant treated fallow land for three months or until chemical has disappeared from soil.

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.

SPOT TREATMENT: To control broadleaf weeds in small non-cropland areas with a hand sprayer, use 1/4 pint in 3 gallons of water and spray to thoroughly wet all weed foliage. Keep spray mixture agitated to prevent separation.

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.