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554-125

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File



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JAN 6 1994

Alice Walker  
AGSCO INC.  
P.O. Box 458  
Grandforks, ND 58201

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 06/08/93 in Response to PR Notice 93-7  
EPA Reg. No. 554-125  
AGSCO MXL HERBICIDE

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

**WHAT THIS ACCEPTANCE MEANS:**

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

**WHAT YOU NEED TO DO NEXT:**

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



Recycled/Recyclable  
Printed with SoyCarota Ink on paper that  
contains at least 50% recycled fiber

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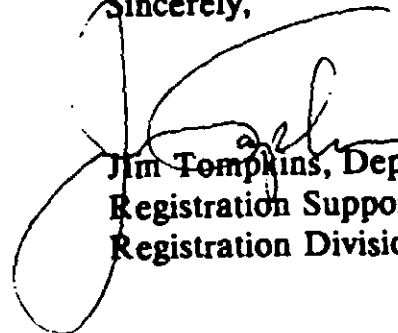
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)  
Office of Pesticide Programs (7505C)  
U.S. Environmental Protection Agency  
401 M Street, SW  
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)  
Office of Pesticide Programs  
Room 266A, Crystal Mall 2  
1921 Jefferson Davis Highway  
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief  
Registration Support Branch  
Registration Division (7505W)

Attachment

AGSCO INC.  
AGSCO MXL HERBICIDE  
554-125 6/08/93

Original Submission

There is a requirement for protective eyewear for mixers/loaders on the current label but there is no listing for mixers/loaders on the proposed label and no protective eyewear in PPE.

Add protective eyewear to PPE and add a separate section for mixer/loaders.

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AGSCO

# MXL HERBICIDE

A LOW VOLATILE FORMULATION

**ACTIVE INGREDIENT:**

2-methyl-4-chlorophenoxyacetic acid, isooctyl ester..... 74.93%

INERT INGREDIENTS: ..... 25.07%

TOTAL 100.00%

\*Equivalent to 47.83% 2-methyl-4-chlorophenoxyacetic acid. 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:** Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.

**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.

See side for additional PRECAUTIONARY STATEMENTS.

EPA Reg. No. 554-125

EPA Est. No. 554-ND-1

Manufactured By:

ACCEPTED  
with COMMENTS  
in EPA Letter Dated  
JAN 6 1994

Net Contents

AGSCO, INC.  
Grand Forks, ND

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
554-125

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. Remove contaminated clothing and wash before reuse. ~~Wash thoroughly with soap and water after handling.~~  
~~PROTECTIVE CLOTHING: Mixers/loaders or applicators are required to use face shields or goggles.~~

#### 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 coveralls over short-sleeved shirt and short pants, chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber, or viton, chemical-resistant footwear plus socks, chemical-resistant headgear for overhead exposure, and chemical-resistant apron when cleaning equipment, mixing, or loading.

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.

When handlers use closed systems, 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.

#### ENVIRONMENTAL HAZARDS

Do not apply directly to water or wetlands (swamps, bogs, marshes, and potholes). Do not contaminate water when disposing of equipment washwaters or rinsate.

**GROUNDWATER CONTAMINATION:** Most cases of groundwater contamination involving phenoxy herbicides such as MCPA have been associated with mixing/loading and disposal sites. Caution should be exercised when handling MCPA pesticides at such sites to

prevent contamination of groundwater supplies. Use of closed systems for mixing and 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.

**CLEANING OF EQUIPMENT:** When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area away from wells and other water sources.

### **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 over short-sleeved shirt and short pants, chemical-resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber, or viton, chemical-resistant footwear plus socks, and chemical-resistant headgear for overhead exposure.

### **STORAGE AND DISPOSAL**

#### **STORAGE**

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

Open dumping is prohibited. Do not reuse empty container. Do not store near fertilizer, other pesticides or seeds. Store at a temperature above 0°F. If allowed to freeze, remix before use. **FLAMMABLE:** Keep away from heat or open flame.

**CONTAINER DISPOSAL:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke. Or if this is an "OUT-N-BACK" returnable container, it must be returned to AGSCO, INC.

### GENERAL INSTRUCTIONS

Susceptible weeds controlled are lambsquarters, marshelder, annual mustards, ragweed, field pennycress, yellow rocket, cocklebur, shepherdspurse and many others. Less susceptible weeds controlled (may have more erratic results) are Canada thistle, dandelions, kochia, plantains, sunflowers, pigweed, purslane, wild buckwheat, hempnettle, stinging nettle and many others.

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.

### CROPS

**WHEAT, OATS, BARLEY:** Use 1 pint per acre in 5 gallons of water by ground application or in 3-5 gallons of water by airplane application. Apply any time from emergence to boot stage of grain. Do not spray from boot to dough stage. Do not use on small grains interplanted with sweet clover unless injury to the legume can be tolerated. Use on grain underseeded with alfalfa only where specifically recommended by local agricultural experiment station and extension service weed specialists. For Canada thistle, use 1 1/3 pint per acre rate. Do not forage or graze meat animals on treated areas within seven days of slaughter.

**FLAX:** Use 1/2 pint per acre in 5 gallons of water by ground application or in 3-5 gallons of water by airplane application. Apply when weeds are up and when flax is 2 to 6 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. If Canada thistle is present, it may be necessary to go as high as 3/4 pint per acre. Some injury to flax may result.

### 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.

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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.