



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

SEP 22 2003

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mary Beth Endres
Perk Products and Chemical Co.
45 Industry Street
Nashville, TN 37210-4225

Dear Ms Endres:

Subject: Label Review for the Reregistration of Boric Acid
Product: Perkerson's Tri-ate Weed Killer
EPA Registration Number: 690-48

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended is acceptable, provided you make the following changes before you release the product for shipment.

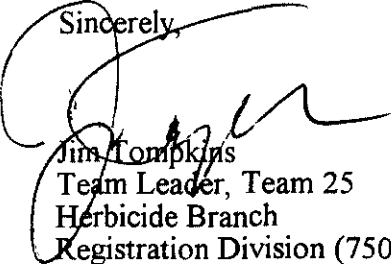
1. Below the INGREDIENT STATEMENT, add "This product contains a fire retardant."
2. The HAZARDS TO HUMANS AND DOMESTIC ANIMALS section should read, "Corrosive to eyes. Causes irreversible eye damage. Harmful if swallowed or adsorbed through skin. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling."
3. In the PPE section, change "Waterproof gloves" to "Chemical resistant gloves made of any waterproof material."
4. As per PR Notice 2001-1, you should place the following statement near the First Aid Statements: "You may also contact 1-800-XXX-XXXX for emergency medical treatment information."
5. The STORAGE AND DISPOSAL sections should read as follows:
STORAGE AND DISPOSAL
Do not contaminate water, food or feed by storage and disposal.
Pesticide Storage: Do not store near food or feed products. Store out of weather. Avoid contact with floor and moisture.
Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. 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 your nearest EPA Regional Office for guidance.
Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.
6. The STORAGE AND DISPOSAL section should be boxed in solid lines.
7. In the APPLICATION CONVERSIONS table, the first column is confusing. It is unclear if 2 ft. diameter, 4 ft. diameter and 6 ft. diameter refer to spot treatment. Please add a heading to this column that designates information about these specific diameters.

8. It is recommended that a company telephone number be added to the label in addition to the emergency telephone number.

Submit three (3) copies of final printed labeling incorporating the above changes before you release the product for shipment. Amended labeling will supercede all previously accepted labels. A stamped copy of labeling is enclosed for your records.

This product is has not been reregistered, only the active ingredient, boric acid. The product will be reregistered after the other active ingredient, sodium chlorate, has been reviewed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Tompkins", written over a circular stamp or mark.

Jim Tompkins
Team Leader, Team 25
Herbicide Branch
Registration Division (7505C)

ACCEPTED
with COMMENTS
in EPA Letter Dated

SEP 22 2003

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

690-48 _____

[FRONT PANEL]

PERKERSON'S TRI-ATE® WEED KILLER

[Optional proposed text appears in brackets - the final label may include some or all of the optional text]

- [● Non-Selective Granular Herbicide]
- [● Non-Selective, Residual Herbicide]
- [● For the Control of Most Annual and Perennial Weed and Grasses]
- [● Can Be Effectively Used On: Driveways, Paths, Brick Walks, Cobble Gutters, Tennis Courts, Porches, Patios, Parking Lots, Under Asphalt, Fence Lines, Building Perimeters and Other Similar Areas]
- [● Use Around or Near: Asphalt, Buildings, Concrete, Ditch Banks, Fence Lines, Gravel Driveways, Patios, Picnic Areas, Sidewalks/Walkways, Storage Yards, Vacant Lots, Wood Decks]
- [● Wherever Unsightly Vegetation is a Problem]
- [● Will Not Discolor Marble, Gravel or Any Kind of Stone]
- [● An Efficient and Economical Method of Destroying Unsightly Vegetation]
- [● This Product is Designed for Non-Selective Kill of Weeds and Grasses with a Single Treatment]
- [● Use for Quick Knockdown of Existing Vegetation]

ACTIVE INGREDIENTS:

Sodium Chlorate (NaClO ₃)	30.0%
Sodium Metaborate* (Na ₂ B ₂ O ₄)	48.5%

OTHER INGREDIENTS: 21.5%

TOTAL: 100.0%

*Equivalent to 6.5% boron expressed as elemental boron

KEEP OUT OF REACH OF CHILDREN

DANGER PELIGRO

SEE [BACK] [SIDE] PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET WEIGHT _____ LBS.

[BACK/SIDE PANEL]

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

DANGER: Corrosive to eyes. Causes irreversible eye damage. Harmful if swallowed or absorbed through the skin. Do not get in eyes, or on clothing. Do not get in eyes, or on clothing. Avoid contact with skin.

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

[BACK/SIDE PANEL CONTINUED]**PERSONAL PROTECTIVE EQUIPMENT**

Applicators and other handlers must wear: Long-sleeved shirt and long pants, shoes plus socks, protective eyewear and waterproof gloves.

Follow manufacturer's instructions for cleaning and maintaining PPE. If not such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. Do not store near food or feed products. Store out of weather.

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 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

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the high water mark. Do not contaminate water used by wildlife and aquatic life, or for domestic and irrigation purposes. Do not apply where run-off is likely or where weather conditions favor movement away from target areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

GENERAL INFORMATION

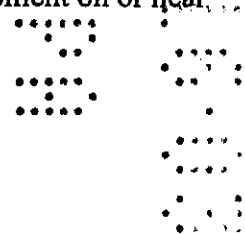
This product is designed for non-selective kill of weeds and grasses with a single treatment. Use for quick knockdown of existing vegetation as well as short season effect in the soil for control of regrowth or new seedlings.

DIRECTIONS FOR USE

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

FOR USE ON NON-CROPPED AREAS

Important: This material is not selective in action, may be toxic to all types of vegetation, and may render the entire treated area totally or partially unproductive for one or more years. Care should be taken to continue the use of application to the particular area intended to be treated and to avoid its contact with lawns, trees, shrubs, crops and other desirable plants which are not intended to be destroyed or injured. This includes precautions in treating areas which may be underlaid by roots of adjacent desired growths. Careless application of this material, or washing by water run-off to areas where desirable plants are growing or which will be used for later plantings may result in injury to desirable plants. Do not drain or flush equipment on or near such areas.



[BACK/SIDE PANEL CONTINUED]

Do not contaminate domestic or irrigation water or waters used by fish and wildlife. Wash clothing and equipment after application. Keep animals off treated area until rainfall has leached all the herbicide into the soil. Mechanical equipment should be thoroughly cleaned after use.

WHERE TO USE:

[Around or Near the Following: Bleachers, Bridge Abutments, Buildings, Bunkers, Buried Cable Closures, Catwalks, Cemeteries, Compressor Stations, Cooling Towers, Cross Connect Boxes, Ditch Banks, Electrical Generators, Fence Lines, Fire Hydrants, Plugs or Walls, Fuel Tanks, Generating Plants, Guardrails, Helo Pads, Highway and Street Markers, Loading Stations, Lumber Yards, Microwave Towers, Oil & Gas Pipelines, Oil Refineries, Parking Lots, Pump Decks, Railroad Lines and Sidings, Runway Lights, Runways, Sign Posts, Storage and Equipment Yards, Utility Poles and Substations, Vacant Lots, Valves and Manifolds, and Waste Lagoons.]

[Around or Near the Following: Asphalt, Buildings, Concrete, Ditch Banks, Fence Lines, Gravel Driveways, Patios, Picnic Areas, Sidewalks/Walkways, Storage Yards, Vacant Lots and Wood Decks.]

Under the Following: Asphalt, Concrete, Gravel Driveways, Sidewalks or Walkways and other similar non-cropped areas.

WHEN TO USE: Use this product anytime during the growing season. Weeds and grasses are easier to kill when they are young and growing rapidly.

HOW IT WORKS: When applied as a granule, this product is absorbed by the roots, causing weeds or grasses to turn brown. Smaller, succulent weeds are affected first. Larger plants will yellow and turn brown at the tips as growth stops. It will take several days before visual signs are noticeable. A residual barrier remains active in the upper soil to control later germination weeds.

This product kills the seedlings, not the seeds. Seedlings will sprout. After they reach 1/2 to 1 inch of growth and the root contacts the soil, it will die. This product can be expected to provide 3 to 6 months control depending on soil type and rainfall.

APPLICATION: This product is ready to use! Apply with a hand-operated spreader, such as a conventional cyclone type spreader, or a power spreader for larger areas. Apply granules uniformly over the area to be treated. The material becomes effective in the soil, followed by rainfall or watering.

Use the following rates of application under most conditions:

[BACK/SIDE PANEL CONTINUED]

APPLICATION CONVERSIONS

	Per 100 Sq. Ft.		
	2 lbs.	3 lbs.	4 lbs.
2 ft. diameter	1 oz.	1 ½ oz.	2 oz.
4 ft. diameter	4 oz.	6 oz.	8 oz.
6 ft. diameter	9 oz.	13 ½ oz.	18 oz.

½ rate can be used when weeds are young and growing rapidly.

Kinds of Weeds	Application Rates
General weed control	2 lbs. per 100 sq. ft.*
Perennial weed control	4 lbs. per 100 sq. ft.**

Approximately 2 ½ cups of this product equals 1 lb.

*As low as 1 lb./100 sq. ft. can be used on young and rapidly growing perennial weeds.

**As low as 2 lbs./100 sq. ft. can be used on young and rapidly growing perennial weeds.

UNDER ASPHALT PAVING: For use as "preparing" residual herbicide under asphalt paving to prevent premature breakdown of paving due to weeds. It is recommended to apply this product to the finished pre-asphalt grade. For dry application, 2-4 lbs. per 100 sq. ft.. After treatment apply at least 2 gals. of water per 100 sq. ft. to dissolve and incorporate the herbicide in the soil. For spray application, dissolve 1-2 lbs. per gal. of water and apply 1 ½ - 2 gals. per 100 sq. ft.. Where surfacing has already cracked by emergent vegetation, inject this product in a solution of 2 lbs. per gal. of water. Inject under pressure into the subsoil with a sharpened, perforated steel pipe.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Avoid contact with floor and moisture.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on-site or at an approved waste disposal facility. Improper disposal of on-site or at an approved waste disposal facility. Improper disposal of excess pesticide, spray mixture or rinseate is a violation of Federal law. 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.

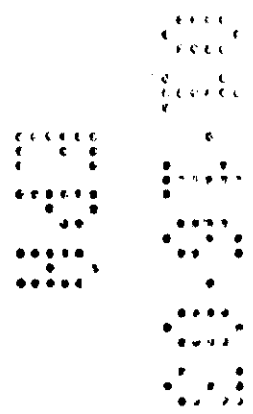
[BACK/SIDE PANEL CONTINUED]

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.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

Perk Products & Chemical Co., Inc.
45 Industry Street
Nashville, TN 37210

EPA Reg. No. 690-48
EPA Est. No. TN-690-1



REVISED: 01/15/03
S:\MAIN\PERK PRODUCTS\LABELS\PERKERSON'S TRI-ATE WEED KILLER