

PM 23

802-138

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

MAR 30 1994

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Molly Hickman  
CHAS H. LILLY CO.  
7737 N.E. KILLINGSWORTH  
PORTLAND, OR 97218

Subject: Label Amendment Submission of 10/18/93 in Response to PR Notice 93-7  
EPA Reg. No. 802-138  
MILLERS MCP AMINE 4

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 Soy/Candle Ink on paper that  
contains at least 50% recycled fiber

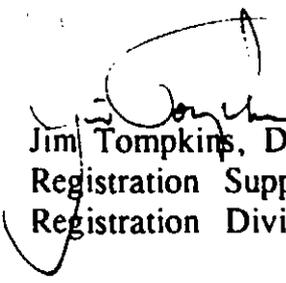
Submit the final printed labeling via the U.S. Postal Service to:

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division

Molly Hickman  
CHAS H. LILLY CO.  
7737 N.E. KILLINGSWORTH  
PORTLAND OR 97218

Comment for: EPA Reg Nr.802-138  
MILLERS MCP AMINE 4

The following specific comments pertain to your WPS labeling submission concerning the product cited above:

User Safety Recommendations must either be placed in a box or printed on the label in a contrasting color from surrounding text.

The Agricultural Use Requirements section must be located in a clearly separate box on the product labeling -- with lines or other graphic indicators (such as contrasting color) to separate the section from the surrounding text.

Correct the typographical errors circled on your proposed label.

Miller's MCP Amine-4  
(4 lbs. MCP acid equivalent per gallon)

ACTIVE INGREDIENT:

2-methyl-4-chlorophenoxyacetic acid, dimethylamine salt .....	52.0%
INERT INGREDIENTS .....	48.0%
Total .....	100.0%

Equivalent to 42.5% of 2-methyl-4-chlorophenoxyacetic acid

WEED KILLER

For selective control of certain weeds in Small Grains, Peas, Clover Seed Crops, Rice, Flax, Established Pasture, Turfs and in Non-Crop Areas.

KEEP OUT REACH OF CHILDREN

DANGER - PELIGRO

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

In case of contact, wash skin with plenty of soap and water; for eyes, flush with water for 15 minutes. Get medical attention. If swallowed, call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat. Do not induce vomiting or give anything by mouth to an unconscious person.

See side panel for Additional Precautionary Statements.

NET CONTENTS \_\_\_\_\_ GALLON(S)

ACCEPTED  
with COMMENTS  
In EPA Letter Dated

MAR 30 1994

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

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive. Causes eye and skin irritation. Do not get in 802-138 eyes, on skin or clothing. Harmful or fatal if swallowed. Do not breathe spray mist.

Personal Protective Equipment:

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

Engineering controls statements:

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.

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User Safety Recommendations:

User 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.

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NOT OPS - NOT REVIEWING

**ENVIRONMENTAL HAZARDS**

For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not apply when weather conditions favor drift from target areas. Avoid use of small-diameter spray nozzles.

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 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.

**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.

**SHAKE WELL BEFORE USING.**

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**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 the 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 area during the restricted entry interval of 48 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, waterproof gloves, shoes plus socks, and protective eyewear.

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A partial list of weeds controlled...

- |          |           |          |         |
|----------|-----------|----------|---------|
| Bindweed | Dandelion | Mustards | Ragweed |
|----------|-----------|----------|---------|

6 7 9

Buttercup	Dock	Nettle, Stinging	Shepherdspurse
Canada Thistle	Knotweed	Plantain	Thistles
Cocklebur	Lambsquarters	Pigweed	Wild Carrot
Corn Cockle			Wild Radish

#### APPLICATION DIRECTIONS

Do not apply directly to or otherwise permit sprays to come in contact with vegetables, flowers, grapes, fruit trees, caneberries, ornamentals or other desirable plants which are sensitive to MCP and do not permit spray mist to drift onto them, since even minute quantities of the spray may cause severe injury during both growing and dormant periods. Coarse sprays are less likely to drift. Spray only on calm days using low pressure and lowered booms.

Do not apply by airplane in the vicinity of grapes or other desirable MCP susceptible plants.

Do not contaminate irrigation ditches or water used for domestic purposes. Excessive amounts of MCP in the soil may temporarily inhibit seed germination or plant growth. Do not use in or near a greenhouse.

At higher temperatures vaporization may cause injury to susceptible plants growing nearby. Keep container tightly closed when not in use.

Do not use spray equipment for any other purpose. Such equipment should not be used for application of insecticides, fungicides, or other agricultural chemicals.

NOTE: When stored at temperatures below freezing, it may be necessary to warm contents to 45 F and mix thoroughly before using.

Do not apply this product through any type of irrigation system.

#### MIXING DIRECTIONS

Mix with water only. Fill the spray tank with half the required amount of water; then add the recommended amount of MCP Amine-4 with agitation and continue filling the spray tank with balance of water. Use sufficient gallonage to thoroughly wet weeds. MCP is similar in its action to 2,4-D compounds except that under certain conditions it is more selective.

TREATING SMALL AREAS: One tablespoon of MCP Amine-4 in 1 1/2 gallons of water is about equal to 1 quart in 100 gallons.

WHEAT, OATS, BARLEY: Use 1/2 up to 2 pints in at least 5 to 20 gallons of water per acre by ground and 3 to 5 gallons of water by air. Treat when grains are in the 3 to 5 leaf stage or up to early boot stage. Do not apply during the boot to dough stage of the grain.

NOTE: Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

RICE: For control of Arrowhead Lily, Water Plantain, Red Stem and certain sedges. Use 2 to 3 pints in 10 gallons of water per acre, applied by airplane. Apply when rice is full tillered and 6 to 8 inches above water (55-65 days after planting). Do not spray after rice is in

boot stage.

NOTE: Do not use in rice fields where shellfish are of economic importance or where flood water is used for irrigation of other crops. Do not grow crayfish or catfish in treated rice fields.

RED CLOVER for Seed (New and Established Stands): Apply 1/2 pint per acre on new stands after clover has two or more true leaves. Apply 1 pint per acre on established stands in the spring when tops are dormant before active growth starts. Use 10 to 20 gallons of water per acre. Do not allow meat or dairy animals to graze treated fields. Do not feed crop threshings to livestock. Old stands of Red Clover may be retarded by application of MCP.

CRIMSON and SUBTERRANEAN CLOVER for Seed: Use 1/4 pint per acre in 10 to 20 gallons of water. Apply in February or the first week of March before Crimson Clover starts rapid growth. Do not allow meat or dairy animals to graze treated fields. Do not feed crop threshings to livestock.

FLAX: Use 1/2 pint per acre in 20 gallons of water. Apply before weeds have two to three inches of growth, before flax is more than 6 to 8 inches tall and before buds form. Flax will show some distortion for a few days. Do not use a wetting agent with MCP when spraying Flax as injury may result.

NOTE: Do not forage or graze meat animals on treated areas within 7 days of slaughter. Do not forage or graze dairy animals on treated areas within 7 days after treatment.

PEAS: Use 1/4 to 1/2 pint in 20 to 60 gallons of water per acre. (For aerial application use 10 gallons total spray solution per acre.) Apply after weeds emerge and before they are 3 inches tall. Do not apply later than the 3 node stage of growth of the peas before blooming period. Do not apply to peas that are stressed for lack of moisture or when daytime temperatures may be expected to exceed 90 F. Do not feed treated vines to livestock. Do not graze or forage treated pea fields.

NOTE: Consult State Extension Service Personnel or cannery company fieldman for proper timing of applications with regard to varietal differences of growth rate.

PASTURES, TURFS and LAWNS  
(Established Stands)

Small Areas - Use 3 tablespoons in 3 to 5 gallons of water and apply evenly over 1000 square feet of area.

Large Areas - Use 1 to 4 pints per acre in 10 to 100 gallons of water to give thorough coverage.

In Pastures where clover and alfalfa are present, reduce rate to 1/2 pint per acre. Best results are secured when treatment is made in fall or spring when weeds are actively growing.

NOTE: White Clover is susceptible to injury and will show some stem twisting. Also in some areas, Bent, Carpet and St. Augustine are susceptible to injury.

GRASS (grown for seed)

Use 1 to 2 pints per acre. Where weed stands are heavy use the higher rate. In Seedling Grass, make application after the grass has tillered. In Established Grass, make application in spring before head comes into boot.

**NON-CROP AREAS**

**SPOT TREATMENT** - in fallow land, along fence rows, roadsides, around buildings and similar non-crop areas. Use 1/4 pint in 3 to 4 gallons of water (or 3 qts. per acre in sufficient water to give thorough coverage). Spray to wet weeds thoroughly when in bud to early bloom and again on fall regrowth. Do not plant treated fallow land to any crop until 3 months after treatment or until the chemical has disappeared from the soil.

**NOTE:** Do not forage or graze meat or dairy animals on treated areas within 7 days of treatment.

**STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed by storage, disposal or cleaning of equipment. Do not store near fertilizers, seeds, insecticides or fungicides.

**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 the 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 or by other procedures approved by state and local authorities.

**LIMIT OF WARRANTY AND LIABILITY**

The Chas. H. LILLY Co. (LILLY) warrants that this product conforms to the chemical or other description on the label (and/or instructions) and is reasonably fit for the purposes set forth on the label (and/or instructions) when used strictly in accordance with the label (and/or instructions) under the conditions described there. **NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY IS MADE.** This warranty is also subject to the following conditions:

\* Buyer and all users shall promptly notify LILLY of any claims whether based in contract, negligence, strict liability, other tort, or otherwise.

\*THE EXCLUSIVE REMEDY OF THE USER OF BUYER AND THE LIMIT OF LIABILITY OF LILLY FOR ANY LOSS, INJURY OR DAMAGE RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT (including claims based upon contract, negligence, strict liability, other tort or otherwise) SHALL BE:

1. The purchase price paid for the product; or at the election of LILLY

2. The replacement of such quantity of the product as is involved.

**IN NO EVENT SHALL LILLY BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES.**

\*LILLY agents have no authority to give warranties or make representations on its behalf, concerning the use, quality or performance of this product, or in any other respect.

\*The use, handling, storage, and other influencing factors are beyond the control of LILLY. Buyer assumes all risk of loss, injury, or damage due to use, handling, storage and other influencing factors, including but not limited to, incompatibility with other products, and weather conditions.

**NOTICE:** Follow directions carefully. Timing and method of application, weather and crop conditions, mixtures with other

chemicals not specifically recommended, and other influencing factors in the use of this product are beyond the control of the seller. Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.

THE CHAS. H. LILLY CO.  
Portland, OR 97218  
EPA Est. 802-OR-1  
EPA Reg. No. 802-138  
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