



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

January 19, 2016

Ms. Danielle Erding  
Product Registration Specialist  
Winfield Solutions, LLC  
P.O. Box 64589  
St. Paul, MN 55164-0589

Subject: Notification per PRN 98-10 –Addition of Resistance Management Recommendations and MOA Code to Label  
Product Name: MCPE Phenoxy Herbicide  
EPA Registration Number: 1381-98  
Application Date: November 4, 2015  
Decision Number: 511626

Dear Ms. Erding:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “Notification” and will be placed in our records

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you have any questions, you may contact Kathryn Montague at 703-305-1243 or via email at [montague.kathryn@epa](mailto:montague.kathryn@epa).

Sincerely,

A handwritten signature in black ink that reads "Kathryn V. Montague".

Kathryn Montague, Product Manager 23  
Herbicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs

**NOTIFICATION**

1381-98

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

01/19/2016

**GROUP****4****HERBICIDE****MCPE**

**Phenoxy Herbicide**  
For Wheat, Barley, Oats and Rye

**ACTIVE INGREDIENT:**

2-methyl-4-chlorophenoxyacetic acid isooctyl (2-ethylhexyl ) ester\* ..... 68.7%

**INERT INGREDIENTS:** ..... 31.3%

Total..... 100.0%

\* Equivalent to 44.1% of 2-methyl-4-chlorophenoxyacetic acid or no less than 3.7 lbs. of MCPA acid per gallon at 68° F. Isomer specific by AOAC Method No. 6.A18-22 (13th ed.). Product contains petroleum distillates.

**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 read it to you in detail.)

**FIRST AID**

**IF ON SKIN OR CLOTHING:** 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:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

**IF IN EYES:** Hold eyelids 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. Call a poison control center or doctor for treatment advice.

**IF INHALED:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for treatment advice.

**Note to Physician:** May pose an aspiration pneumonia hazard. Contains petroleum distillate.

Have the product number or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-424-7452 for emergency medical treatment information.

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

May be fatal if absorbed through skin. Causes skin irritation. Harmful if swallowed. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

**Personal Protective Equipment (PPE):**

Some materials that are chemical-resistant to this product are neoprene ≥ 14 mils, nitrile rubber ≥ 14 mils, barrier laminate, or viton ≥ 14 mils.

Mixers, loaders, applicators, flaggers, and other handlers must wear:

- Coveralls over short-sleeved shirt or short pants,
- Chemical-resistant gloves when mixing, loading, or using any hand-held equipment,
- Chemical resistance footwear plus socks, and
- Protective eyewear,
- When cleaning equipment wear a chemical resistant apron,
- For overhead exposure wear a chemical resistant headgear.

EPA Reg. No. 1381-98

EPA Est. No.

NET CONTENTS 2.5 GALS. (9.46 L)

Distributed by:

Winfield Solutions, LLC

P.O. Box 64589, St. Paul MN 55164-0589

**WINFIELD™**

1/1029/5 1/1104/5

Additional PPE requirements for mixers and loaders supporting aerial application to rangelands, pasture lands, or noncropland. These mixers/loaders also must wear:

- A chemical-resistant apron.
- A NIOSH approved particulate respirator, with any R or P filter with NIOSH approval number prefix TC-84A; or a NIOSH-approved powered air purifying respirator with an HE filter with NIOSH approval number prefix TC-21C.

See Engineering Controls for additional requirements.

Discard clothing or other materials that have become drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning or maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### **Engineering Controls Statement:**

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) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.

Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240(d)(6)].

#### **USER SAFETY RECOMMENDATIONS**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE 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**

This pesticide is toxic to fish, aquatic invertebrates and aquatic plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Most cases of groundwater contamination involving phenoxy herbicide 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 mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

#### **PHYSICAL CHEMICAL HAZARDS**

Do not mix or allow coming in contact with oxidizing agents, Hazardous chemical reaction may occur.

#### **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, forest, 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 statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements of this box apply only to those 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 made of any waterproof material,
- Shoes plus socks, and
- Protective eyewear.

#### **NON-AGRICULTURAL USE REQUIREMENTS**

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agriculture Pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter or allow others to enter the treated area until sprays have dried.

This product is recommended for controlling the following as well as many other plants susceptible to MCPA.

#### **ANNUAL AND BIENNIAL WEEDS**

Annual sowthistle, Beggarticks, \*\*Chervil, Cocklebur, Fanweed (pennycress), \*Goatsbeard, \*Hempnettle, Lambsquarter, \*Marshelder, Miner's lettuce, Mustards (except blue), Pepperweed (field), Poison hemlock, \*Puncturevine, Pigweed, \*Purslane, Ragweed, \*\*Russian thistle, \*Shepherdspurse, Stinkweed, Sunflower, Wild radish.

#### **PERENNIAL WEEDS\***

Buttercup, Canada thistle, Dandelion, Dragonhead mint, Stinging nettle, Perennial sowthistle, Plantains, Vetch, Whitetop (Hoary cress), Yellow rocket (Wintercress).

\*Use the higher rate for control. Repeat treatments may be necessary. Refer to specific crop Restrictions and Limitations.

\*\*Regrowth may occur after repeat treatment.

#### **USE PRECAUTIONS**

Unless otherwise noted under individual **DIRECTIONS** section, for aerial application, apply the recommended amount in a minimum of 2 gallons of water per acre. For ground application, apply the recommended amount in a minimum of 10 gallons of water per acre. Use more water for both methods when adverse growing conditions are present. **DO NOT** apply with high spray pressures, hollow cone or other nozzle types that produce small spray droplets which may drift. Avoid spray drift by making applications when conditions such as wind, air stability and temperature inversions are not a factor. The use of a suitable drift control agent at the proper rate will aid in the reduction of spray drift.

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

#### **ROTATIONAL CROP RESTRICTION**

Crops for which there are no MCPA residue tolerances established may be planted 60 days or more after application.

#### **RESISTANCE MANAGEMENT RECOMMENDATIONS**

MCPE is a Group 4 herbicide. Any weed population may contain or develop plants naturally resistant to MCPE or other Group 4 herbicides. Weed species with acquired resistance to Group 4 may eventually dominate the weed population if Group 4 herbicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by MCPE or other Group 4 herbicides.

To delay herbicide resistance consider:

- Avoiding the consecutive use of MCPE or other target site of action Group 4 herbicides that have a similar target site of action, on the same weed species.
- Using tank-mixtures or premixes with herbicides from different target site of action Groups as long as the involved products are all registered for the same use, have different sites of action, and are both effective at the tank mix or prepack rate on the weed(s) of concern.
- Basing herbicide use on a comprehensive IPM program.
- Monitoring treated weed populations for loss of field efficacy.
- Contacting your local extension specialist, certified crop advisors, and/or Winfield Solutions, LLC representative for herbicide resistance management and/or integrated weed management recommendations for specific crops and resistant weed biotypes.

### SPRAY DRIFT MANAGEMENT

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determines the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when the wind speed is 2-10 mph at the application site.

*Additional requirements for aerial application:*

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

When applications are made with a crosswind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind.

Do not make applications into temperature inversions.

*Additional requirements for ground boom application:*

Do not apply with a nozzle height greater than 4 feet above the crop canopy.

### MIXING INSTRUCTIONS

**WATER BASED SPRAY** -- Fill the equipment half full of water, agitate while adding this product, then add the rest of the water.

Wash spray equipment thoroughly with **PROTANK™** cleaner after using this product. When cleaning, do not pour washwater on the ground: spray or drain over a large area away from wells or other water sources.

Consult local agricultural experiment station or extension service weed specialists for use recommendations in your area.

**Note:** When stored at temperatures below freezing, it may be necessary to warm contents to 70° F and mix thoroughly before using.

### WHEAT, BARLEY, OATS, AND RYE

WEEDS	AMOUNT OF MCPE PER ACRE	DIRECTIONS
Annual weeds Annual and biennial weeds Perennial weeds	1/2 pint 1 to 1-1/2 pints * 1-5/8 pints*	Apply when weeds are small. Apply after crop has reached the 3 to 5 leaf stage up to early boot stage (Zadoks 1 <sub>3</sub> to 4 <sub>0</sub> ). For less susceptible weeds, use the 1-5/8 pint rate after the crop has tillered and up to early boot stage (Zadoks 2 <sub>5</sub> to 4 <sub>0</sub> ). Do not spray from boot stage to dough stage (Zadoks 4 <sub>0</sub> to 8 <sub>0</sub> ).
* The higher rate may cause grain injury. Any legumes present may be killed.		
<b>RESTRICTIONS AND LIMITATIONS FOR SMALL GRAINS</b> Do not forage or graze treated areas for 7 days after application. Do not apply more than 1-5/8 pints (3/4 lb. ae) MCPE Phenoxy Herbicide per acre per year.		

**PASTURES, RANGELAND, CONSERVATION RESERVE PROGRAMS AND SET-ASIDE ACRES**

<b>WEEDS</b>	<b>AMOUNT OF MCPE PER ACRE</b>	<b>DIRECTIONS</b>
Established grasses * Annual and biennial weeds	1 to 3 pints	Apply to established grasses before the head comes into boot stage and on seedling grasses after the grass has at least 5 leaves (tillered ).
Canada thistle and Whitetop (Hoary cress)	3 pints	Use higher rate for Whitetop, Canada thistle, and other less susceptible weeds. Spray perennial in early bud to full bloom stage and during active regrowth in the fall.

\* Do not use on alfalfa, clover, other legumes or newly seeded areas.

**RESTRICTIONS AND LIMITATIONS FOR PASTURES, RANGELAND, CONSERVATION RESERVE PROGRAMS AND SET-ASIDE ACRES**

Do not forage or graze treated areas for 7 days after application. Do not apply more than 3¼ pints (1-1/2 lbs. ae) MCPE Phenoxy Herbicide per acre per application. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days. Do not apply more than 6.5 pints (3 lbs. ae) MCPE Phenoxy Herbicide per acre per year.

**GRASSES GROWN FOR SEED**

Do not use on alfalfa, clover, other legumes or newly seeded areas.

<b>WEEDS</b>	<b>AMOUNT OF MCPE PER ACRE</b>	<b>DIRECTIONS</b>
Annual and perennial weeds	1 to 2 pints **	Apply to established grasses before the head comes into boot. Do not spray in boot stage. Apply to seedling grasses after grass has at least 5 leaves. Use the higher rate where weed stands are heavy.

\*\* Repeat treatment may be needed for less susceptible weeds. In some cases, Bent, Buffalo, Carpet and St. Augustine grasses may be injured by this treatment.

**RESTRICTIONS AND LIMITATIONS FOR SEED GRASSES**

Do not forage or graze treated areas for 7 days after application. Do not apply more than 3¼ pints (1-1/2 lbs. ae) MCPE Phenoxy Herbicide per acre per application. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days. Do not apply more than 6.5 pints (3 lbs. ae) MCPE Phenoxy Herbicide per acre per year.

**NON-CROP AREAS**

Fence Rows, Roadsides, and Rights-of-Way

<b>WEEDS</b>	<b>AMOUNT OF MCPE PER ACRE</b>	<b>DIRECTIONS</b>
Extensive areas	3¼ pints	Apply in a minimum of 2 gallons of water per acre by air and 20 to 100 gallons of water by ground. Spray when weeds are in bud to early bloom and again during active fall regrowth.
Spot treatment - Canada thistle, Whitetop (Hoary cress) and buttercup	1/2 pint	Apply in 3 to 4 gallons of water. Spray to thoroughly wet weeds.

**RESTRICTIONS AND LIMITATIONS FOR NON-CROP AREAS**

Do not forage or graze treated areas for 7 days after application. Broadcast Treatment: Do not apply more than 3¼ pints (1-1/2 lbs. ae) MCPE Phenoxy Herbicide per acre per application. Do not apply more than 2 applications per year with a minimum retreatment interval of 21 days. Spot Treatment: Do not apply more than 6.5 pints (3 lbs. ae) MCPE Phenoxy Herbicide per acre per year.

### STORAGE AND DISPOSAL

**PESTICIDE STORAGE:** Store in a secure area, in original container only, away from fertilizers, food, or feed. Do not contaminate water, food, or feed by storage or disposal.

**PESTICIDE DISPOSAL:** Pesticide waste are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of 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 HANDLING:** Use label language appropriate for container size and type.

**Nonrefillable containers.** Do not reuse or refill this container. Clean container promptly after emptying.

**Nonrefillable container equal to or less than 5 gallons.** Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. 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 such as burning of plastic containers. If burned, stay out of smoke.

**Nonrefillable container greater than 5 gallons.** Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. 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 such as burning of plastic containers. If burned, stay out of smoke.

**Refillable container.** Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. 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 such as burning of plastic containers. If burned, stay out of smoke.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident,  
call CHEMTREC 1-800-424-9300.

### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

### LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THE NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS' CUSTOMERS, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.