

2217-455

08/09/2001

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

AUG 9 2001

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Craig Martens
PBI Gordon Corporation
P.O. Box 014090
Kansas City, MO 64101-0090

Dear Mr. Martens:

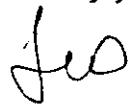
Subject: Revised Label
2,4-Dichlorophenoxyacetic Acid
EPA Registration No. 2217-455
Your Submission Dated July 25, 2001

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you:

1. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
 - a. For clarity after orchard floors you should specify: pome fruit, citrus fruit, stone fruit, filbert and nut crops.
 - b. In the warranty statement delete "use of this product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc." This is a manufacturing use only product.
2. Submit one (1) copy of your final printed labeling before you release the product for shipment.

A stamped copy of the labeling is enclosed for your records. If you have any questions concerning this letter, please contact Mr. James Stone at 703-305-7391.

Sincerely yours,


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

Enclosure

2,4-DICHLOROPHENOXYACETIC ACID

FOR USE IN THE MANUFACTURE OF HERBICIDES

- NOT FOR RESALE -

ACTIVE INGREDIENT:

2,4-dichlorophenoxyacetic acid 98.2%

INERT INGREDIENTS: 1.8%

TOTAL 100.0%

*Isomer Specific by AOAC Method No. 6D 01-5.

ACCEPTED
with COMMENTS
In EPA Letter Dated:
AUG 9 2001

KEEP OUT OF REACH OF CHILDREN

DANGER

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
22745

First Aid Statements	
If swallowed:	<ul style="list-style-type: none"> • Call a 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 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 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 mouth-to-mouth if possible. • Call a poison control center or doctor for treatment advice.
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.
Note to Physician:	<ul style="list-style-type: none"> • Probable mucosal damage may contraindicate the use of gastric lavage.
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	

See back panel for additional Precautionary Statements.

NET WEIGHT: ____ POUNDS (____ KILOS)

APXXXXXX

EPA REG. NO. 2217-455

EPA EST. NO. 46146-AG-1

CONTRACT MANUFACTURED FOR:



PO BOX 014090

KANSAS CITY MISSOURI 64101



READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Human and Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. Do not get in eyes, or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Harmful if absorbed through skin, if swallowed, or if inhaled. Avoid contact with skin. Avoid breathing dust. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS:

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

~~Only For Formulation Into a Herbicide for (1) AGRICULTURAL CROPS (Corn, sorghum, rice, wheat, oats, barley, rye, grasses — annual, grasses — perennial, sugarcane, soybeans); TERRESTRIAL NONFOOD CROPS (Ornamental trees, shrubs and vines, lawns and turfgrasses, uncultivated agricultural areas, uncultivated nonagricultural areas, general soil treatment, recreation areas, industrial sites, paved areas, outdoor areas); AQUATIC SITES (Agricultural irrigation water and ditches, agricultural drainage water and ditches, lakes, ponds and impounded water, streams, rivers and canals, swamps, marshes, wetlands, estuaries, tidal marshes, commercial and sport fish-bearing waters, industrial ponds); FORESTRY SITES (Forest trees, plantings, forest tree nurseries); (2) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and (3) Uses for experimental purposes that are in compliance with U.S. EPA requirements.~~

Only For Formulation Into a Herbicide for:

(1) AGRICULTURAL CROPS

- a. Grain and seed crops: corn, sorghum (milo), soybeans (preplant), rice, small grains (wheat, oats, barley, rye), fallow cropland, crop stubble.
- b. Crops grown exclusively for seed or planting: grass seed crops, sod production.
- c. Sugar crop: sugarcane.
- d. Forage crops: annual grasses, perennial grasses, rangeland (grasslands providing forage for grazing animals), pasture (grassland or grasses providing forage suitable for grazing livestock).
- e. Small fruits: orchard floors (pome, fruit, filbert, and nut), strawberry, blueberries.

*Small fruit water crops
store fruit, trees
fruits*

(2) TERRESTRIAL NONFOOD CROP AND NONCROPLAND AREAS

- a. Ornamental trees, shrubs and vines, lawn and turf grasses: yards, cemeteries, parks.
- b. Uncultivated agricultural areas: fence rows, rights-of-way, barrier strips, established perennial grasses such as the Conservation Reserve Program.
- c. Uncultivated nonagricultural areas: yards, lawn, turf, cemeteries, parks, airports, recreation areas (including golfcourses), fairgrounds, roadsides, rights-of-way (highway, railroad, and utility), industrial sites, and paved areas.

(3) AQUATIC WEED CONTROL

- a. Agricultural irrigation water and ditches, agricultural drainage water and ditches.
- b. Lakes, ponds, reservoirs, impounded water, streams, rivers and canals, swamps, marshes, wetlands, estuaries, tidal marshes.
- c. Commercial and sport fish-bearing waters.
- d. Industrial ponds.

(4) FORESTRY.

- a. Forest trees, plantings, forest tree nurseries.
- b. Forest site preparation.
- c. Forest roadsides, tree and brush control.
- d. Established conifer release and tree injection treatments.

(5) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and

(6) Uses for experimental purposes that are in compliance with US EPA requirements.

This product may be used to formulate products for specific use(s) not listed on the MUP label if the formulator, user group, or grower has complied with US EPA data submission requirements regarding the support of such use(s).

Formulators using this product are responsible for obtaining EPA registration of their formulated product.

MANUFACTURER TO FURNISH USER WITH COMPLETE DIRECTIONS FOR USE IN ACCORDANCE WITH HIS FORMULATIONS.

This product can only be used to formulate pesticide products if the labeling contains the following information and/or revised use directions. All products manufactured for residential and turf (excluding sod farms) uses after June 15, 1994, must contain the revised label language below. All other products (i.e., agricultural, industrial and aquatic), manufactured after October 23, 1993, must bear the revised label language below.

GENERAL REQUIREMENTS FOR END-USE PRODUCT LABELING

- 1. *Containers over 1 gallon and less than 5 gallons in capacity must bear the following statement:* "Persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron."
- 2. *Containers of 5 gallons or more in capacity must also bear the following statement:* Do not open-pour product from this container. A mechanical system (such as probe and pump or spigot) 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."

SPECIFIC REQUIREMENTS FOR END-USE PRODUCT LABELING

1. FOR AGRICULTURAL USES

- a) *Clothing Requirement Statements:* "When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required."
- b) *Personal Hygiene Statements:* "Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous days mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower."
- c) The maximum application rate to pasture and rangeland is the lower of (1) existing application rate on currently registered label or (2) two pounds 2,4-D acid equivalent per acre per application per site.

- d) The maximum application rate to forestry site preparation is the lower of (1) existing application rate on currently registered label or (2) four pounds 2,4-D acid equivalent per acre per application per site.
- e) Reentry interval is required and should be in accordance with the **Worker Protection Standards**, 40 **CFR** Parts 156 and 170.

2. FOR INDUSTRIAL/AQUATIC USES

- a) *Clothing Requirement Statements:* "When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield or safety glasses), chemical resistant gloves, long-sleeved shirt, long pants, socks, and shoes. It is recommended that safety glasses include front, brow, and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required."
- b) *Personal Hygiene Statements:* "Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. Wash hands, face and arms with soap and water before eating, smoking or drinking. Wash hands and arms before using toilet. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower."

3. FOR RESIDENTIAL AND TURF USES

- a) *Clothing Requirement Statements:* (1) For All Granular Products: "When using this product, wear long-sleeved shirt, long pants, socks, and shoes." (2) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other noncommercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course, amine products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, and rubber gloves. (3) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other noncommercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course, amine products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, rubber gloves, and eye protection. It is recommended that safety glasses include front, brow, and temple protection. (4) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other noncommercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course; acid, sodium salt, and ester products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, and chemical-resistant gloves. (5) Products registered for use on residential and other turf sites (excluding sod farms) by homeowners and other noncommercial users, and for commercial mixer/loader/applicators when the product is to be applied to a golf course; acid, sodium salt, and ester products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When using this product, wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves, and eye protection. It is recommended that safety glasses include front, brow, and temple protection. (6) Products registered for use on residential and other turf sites (excluding sod farms) by commercial mixer/loader/applicators (except when the product is to be applied to a golf course), all products applied in liquid form and carrying "CAUTION" signal word only must bear the following language: "When mixing, loading, or applying this product, wear long-sleeved shirt, long pants, socks, shoes, and chemical-resistant gloves. (7) Products registered for use on residential and other turf sites (excluding sod farms) by commercial mixer/loader/applicators (except when the product is to be applied to a golf course), all products applied in liquid form and carrying "WARNING" or "DANGER" signal word only must bear the following language: "When mixing, loading, or applying this product, wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves, and eye protection. It is recommended that safety glasses include front, brow, and temple protection."

- b) *Personal Hygiene Statements:* (1) For All Granular Products: "After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water."; (2) For All Liquid Products: "After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower."
- c) The maximum application rate to turf is the lower of (1) existing application rate on currently registered label or (2) two pounds 2,4-D acid equivalent per acre per application per site. The maximum number of broadcast applications per treatment site is 2 per year.
- d) The following reentry statement must be included: "Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment area until spray has dried or dust has settled."

STORAGE & DISPOSAL

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

STORAGE: Store in original container in a locked storage area inaccessible to children or pets.

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: Completely empty bag into formulation equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by State and local authorities by burning. If burned stay out of smoke.

IMPORTANT: Do not use in equipment or in containers in which you have handled or will handle other agricultural chemicals.

LIMITED WARRANTY.

~~Manufacturer warrants that the chemical composition conforms to the ingredient statement given on the label and that this product is suited for the labeled use when applied according to label directions. Because of widely varying use conditions, it is impossible to eliminate all risks even when label directions are followed.~~

~~EXCLUSION OF OTHER WARRANTIES AND REMEDIES. Except where such disclaimers and exclusions are specifically prohibited by applicable law. THE FOREGOING IS THE ONLY GUARANTEE OR WARRANTY APPLICABLE TO THIS PRODUCT AND IS GIVEN EXPRESSLY AND IN LIEU OF ALL OTHER WARRANTIES EXPRESSED OR IMPLIED, OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND ALL SUCH WARRANTIES WHICH EXCEED OR DIFFER FROM SAID LIMITED WARRANTY ARE DISCLAIMED BY MANUFACTURER, and upon Manufacturer's compliance with said limited warranty. BUYER SHALL HAVE NO REMEDY AGAINST MANUFACTURER FOR ANY TYPE OF DAMAGE OR LOSS, and, IN NO EVENT SHALL MANUFACTURER BE LIABLE FOR CONSEQUENTIAL DAMAGE OR LOSS.~~

LIMITED WARRANTY AND DISCLAIMER.

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

~~THE MANUFACTURER, NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.~~

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.