

PM 23

2217-644 10/5/98
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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OCT 5 1998

Mr. Craig Martens
PBI/Gordon Corporation
P.O. Box 014090
Kansas City, MO 64101

Dear Mr. Martens:

Subject: Conversion from MCPP to MCPP-p
Gordon's Brush Killer 823
EPA Registration Number: 2217-644
Your Submission Dated August 28, 1998

The Agency is conditionally approving an amendment to the registration of the above-referenced product under the authority of section 3(c)(7)(A) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Under this amendment the Agency is approving the conversion of the active ingredient mecoprop from its racemic form [2-(2-methyl-4-chlorophenoxy) propionic acid, or applicable salt thereof] to its single isomer form [(+)-R-2-(2-methyl-4-chlorophenoxy) propionic acid, or applicable salt thereof]. The revised labeling and Confidential Statement(s) of Formula submitted in support of the conversion are acceptable with the following provisions:

1. This acceptance is based on our understanding that no changes have been made to the Confidential Statement(s) of Formula (CSF) or the product labeling other than those specified within the body of your certification statement or cover letter dated August 28, 1998. No other revisions are being reviewed or considered with this action.
2. You may sell or distribute product containing the racemic form of mecoprop and bearing the previously approved labeling for 18 months from the date of this letter.

A copy of the revised Confidential Statement of Formula (Basic Formulation, dated 08/28/98) has been placed in the Agency's file for the subject product. This CSF supersedes all previously submitted CSFs for this product.

RD:STANTON:PM Team 23:Rm. 237:CM-2:305-5218:Disk #8:S549658.CNV

CONCURRENCES

SYMBOL ▶	7505C							
SURNAME ▶	S. Stanton							
DATE ▶	Oct 5, 1998							

A stamped copy of the labeling is enclosed for your records. Submit one copy of your final printed labeling before you release the product for shipment.

Sincerely yours,



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

Enclosure

3 7 6

GORDON'S BRUSH KILLER 823

Controls Ash, Aspen, Brambles, Kudzu, Oak, Willows
and other species of brush and weeds.

- KEEP FROM FREEZING -

ACTIVE INGREDIENTS:

Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy)propionic acid	24.70%
Dimethylamine salt of (+)-(R)-2-(2-methyl-4-chlorophenoxy)propionic acid ...	12.35%
Dimethylamine salt of 2,4-dichlorophenoxyacetic acid	23.12%
Dimethylamine salt of dicamba (3,6-dichloro-o-anisic acid).....	6.18%
INERT INGREDIENTS	46.00%
INERT INGREDIENTS	58.35%
TOTAL	100.00%

THIS PRODUCT CONTAINS:

- 2.0 lbs. 2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 20.40%
- 0.95 lbs. (+)(R)-2-(2-methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 10.20%
- 1.86 1.79 lbs. 2,4-Dichlorophenoxyacetic acid equivalent per gallon or 19.18%.
- 0.5 0.48 lb. 3,6-dichloro-o-anisic acid equivalent per gallon or 5.13%.

Isomer Specific by AOAC Methods

CONTAINS SINGLE ISOMER FORM OF MECOPROP-p

KEEP OUT OF REACH OF CHILDREN

DANGER

Statement of Practical Treatment

IF IN EYES: In case of eye contact, immediately flush eyes with plenty of water for 15 minutes. Call a physician at once.

IF ON SKIN: Wash promptly with soap and water. Rinse thoroughly. If irritation develops, get medical attention.

IF SWALLOWED: Drink one or two glasses of water. Induce vomiting by touching back of throat with finger. Call a physician at once. Do not induce vomiting or give anything by mouth to an unconscious person.

IF INHALED: Remove victim to fresh air and apply respiration if indicated.

See additional Precautionary Statements elsewhere on this label.

NET CONTENTS 2 1/2 U.S. GALLONS

823/ APXXXXXX
 EPA REG NO 2217-644
 EPA EST NO 2217-KS-1
 MANUFACTURED BY:



ACCEPTED
 with **COMMENTS**
 In EPA Letter Dated

OCT 5 1998

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

2217-644



4 7 6
READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

DANGER: Corrosive. Causes eye damage and skin irritation. Do not get in eyes, on skin or on clothing. Harmful or fatal if swallowed.

When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear eye protection (face shield, goggles 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.

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.

Engineering Control Statements:

Containers over 1 gallon and less than 5 gallons in capacity: Persons engaged in open pouring of this product must also wear coveralls or a chemical resistant apron.

Containers of 5 gallons or more in capacity: A mechanical system (probe and pump) 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.

ENVIRONMENTAL HAZARDS:

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. 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 washwater. When cleaning equipment, do not pour the 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 area.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D and MCPP have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D and MCPP 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 reenter or permit workers to reenter treated area until sprays have dried or dusts have settled.

STORAGE & DISPOSAL

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

PESTICIDE DISPOSAL: Do not contaminate water, food, or feed by storage or 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: For Metal Containers - 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.

ROADSIDES, DRAINAGE DITCH BANKS, RIGHTS-OF-WAY & OTHER SIMILAR NONCROP AREAS:

To effectively control brush, all leaves, stems and suckers should be thoroughly wet to the ground. Apply Gordon's Brush Killer 823 when plants come into full leaf (spring) until plants begin to go dormant. Best results are obtained when brush and weeds are young and actively growing. Do not cut brush or weeds until the herbicide has translocated throughout the plant.

HIGH VOLUME:

Use Gordon's Brush Killer 823 at the rate of 1/2 to 2 gallons in water to make 100 to 300 gallons of spray per acre. The amount of water used must allow for full wetting of plants. For small broadleaf weeds, use the lower rate. Heavy dense stands of brush require the high rate with high water volume.

LOW VOLUME GROUND OR AERIAL FOLIAGE SPRAY:

Use Gordon's Brush Killer 823 at the rate of 1/2 to 2 gallons in water to make 15 to 25 gallons of spray per acre. Use enough water to insure uniform wetting of plants.

NOTE: Avoid spray drift to cotton, soybeans, tomatoes, tobacco, grapes, fruit trees, flowers or garden crops and all other hormone herbicide-sensitive desirable plants. Do not apply near sensitive plants since small quantities of wind-drifted herbicides may cause severe injury.

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

Do not apply herbicide when wind speed is sufficient to cause drift. Do not apply herbicide when an air temperature inversion exists. An air inversion may be detected by creating a smoke column and observing a layering effect. Do not apply when temperatures exceed 90°F and humidity is high.

To aid in avoiding spray drift, use coarse sprays and low pressure. Do not use nozzles which produce fine spray droplets under high pressure. The use of thickening agents or anti-drift additives and drift-reducing equipment is of value in preventing spray drift. Care should be taken not to make applications where runoff could contaminate bodies of water or spray drift could carry the chemical to food crops or grazing lands where cattle, sheep, goats, swine or poultry would be exposed.

BRUSH AND WEEDS CONTROLLED:

Gordon's Brush Killer 823 is especially effective against brush such as ash, birches, brambles, kudzu, multiflora rose and willows. In addition to these, it kills many species of brush and broadleaf weeds, some of which are listed below.

BRUSH		
Ash	Dogwood	Poplar
Aspen	Elms	Shortleaf pine
Birches	Gooseberry	Sumac
Brambles	Honeylocust	Wild plum
Cedar	Multiflora rose	Willows
Cherry	Oak	
WEEDS		
Bedstraw	Kudzu	Poison oak
Burdock	Morningglory	Thistle
Chicory	Poison ivy	Trumpet vine
Dock		

6 9 6

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.

