

2217-740

04/09/2009

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

9 APR 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PBI / Gordon Corporation
1217 West 12th Street
Kansas City, Missouri 64101

Subject: EPA Reg. 2217-740 / DMDP 897 / RED Label Amendment: 2,4-D and MCP-p

The labeling referred to above is in compliance with the 2,4-D and MCP-p REDs and is amended under the REDs provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.
- 2) Please note: Final product reregistration can't be considered until after all active ingredients in this product are eligible for reregistration.
- 3) To the label add "Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et. al. v. EP, C01-0132C, (W.D. WA). For further information, please refer to <http://www.epa.gov/espp/>".
- 4) Per the acute toxicity review, child resistant packaging is triggered for this product (Category 1 eye).
- 5) The Hazards to Humans and Domestic Animals must be revised to read:

"DANGER

Corrosive. Causes irreversible eye damage. Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Do not get in eyes, on skin, or on clothing. Avoid breathing spray mist or vapor."

- 6) Per the acute toxicity review and the 2,4-D, 2,4-DP-p, and MCP-p REDs, the PPE must be revised to read:

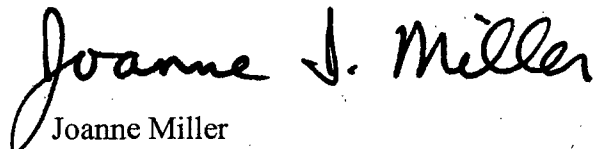
"Some materials that are chemical-resistant to this product are made of any waterproof material. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators and other handlers must wear:
Long-sleeved shirt and long pants,
Shoes and socks,
Chemical-resistant gloves,
Goggles or faceshield, and
Chemical-resistant apron when mixing, loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.”

- 7) The first sentence of the Environmental Hazard section must be revised to read “This pesticide *is* toxic to fish and aquatic invertebrates and may adversely affect non-target plants.”
- 8) To the label add the correct EPA Establishment No. and Net. Contents amount.
- 9) Place the First Aid section after KEEP OUT OF REACH OF CHILDREN DANGER”.
- 10) The font size of DANGER and KEEP OUT OF REACH CHILDREN must be in compliance with 40 CFR 156.10.

Submit one copy of the revised final printed label for the record. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

Sincerely,



Joanne Miller
Product Manager 23
Herbicide Branch
Registration Division (7505P)

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ACCEPTED
with COMMENTS
in EPA Letter Dated
9 APR 2009

DMDP 897

EPA Reg. No. 2217-740

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

2217-740

ACTIVE INGREDIENT:

| | |
|--|-------|
| Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid | 16.3% |
| Dimethylamine Salt of (+)-R-2-(2 methyl-4-chlorophenoxy)propionic acid | 8.2% |
| Dimethylamine Salt of (+)-R-2-(2,4-dichlorophenoxy)propionic acid | 8.1% |

| | |
|--------------------------|--------|
| INERT INGREDIENTS: | 67.4% |
| TOTAL | 100.0% |

THIS PRODUCT CONTAINS:

- 1.2 lbs 2,4-dichlorophenoxyacetic acid equivalent per gallon or 13.6%
 - 0.6 lbs (+)-R-2-(2 methyl-4-chlorophenoxy)propionic acid equivalent per gallon or 6.8%
 - 0.6 lbs (+)-R-2-(2,4-dichlorophenoxy)propionic acid equivalent per gallon or 6.8%
- Isomer Specific by AOAC Methods.

KEEP OUT OF REACH OF CHILDREN

DANGER

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. Do not get in eyes, on skin or on clothing. Wear protective eyewear. Harmful if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Avoid breathing spray mist.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are natural rubber. If you want more options, follow the instructions for category A, on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators and other handlers must wear:

- protective eyewear,
- long-sleeved shirt and long pants,
- shoes and socks,
- chemical-resistant gloves when applying with any handheld nozzle or equipment, mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate.
- chemical-resistant apron when mixing or loading, cleaning up spills or equipment, or otherwise exposed to the concentrate

User Safety Requirements:

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.



Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

User Safety Recommendations

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- Users should 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.

First Aid

| | |
|-----------------------------------|--|
| 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 on 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 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 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. |

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

Environmental Hazards

This pesticide may be toxic to fish and aquatic invertebrates and may adversely affect non-target plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment wash waters or rinsate.

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. Application around a cistern or well may result in contamination of drinking water or groundwater.

DIRECTIONS FOR USE

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

GENERAL PRECAUTIONS AND RESTRICTIONS:

- Do not enter or allow people (or pets) to enter the treated area until sprays have dried.
- 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.

- Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.
- Do not apply this product through any type of irrigation system.
- Do not use on warm season grasses, such as St. Augustinegrass, centipedegrass, dichondra, or on lawns and turf where desirable clovers are present.
- Do not exceed specified dosages for any area.
- Do not spray when air temperatures exceed 85°F.
- Seed can be sown 3 to 4 weeks after application.
- After using this product, clean sprayer thoroughly with soap or detergent and water and rinse thoroughly before applying other pesticides.
- Do not use this product on or near desirable plants, including contact of spray on exposed root systems or adventitious shoots within the drip line of desirable trees and shrubs, since injury may result.

| WEEDS | | | |
|---------------|---------------------|--------------|------------------|
| Black Medic | Ground Ivy | Poison Ivy | Wild Carrot |
| Buckhorn | Healall | Poison Oak | Wild Garlic |
| Burdock | Knotweed | Purslane | Wild Onion |
| Chicory | Lambsquarters | Ragweed | Wild Lettuce |
| Chickweed | Mallow | Red Clover | Yarrow |
| Clover | Morningglory | Red Sorrel | and other |
| Dandelion | Oxalis (Woodsorrel) | Speedwell | broadleaf weeds |
| Dock | Pigweed | Spurge | in lawns & turf. |
| English Daisy | Plantains | White Clover | |

ORNAMENTAL LAWNS & TURF (OTHER THAN BENTGRASS):

Apply DMDP 897 at a rate of 3.0 pints per acre in sufficient water for good coverage (40 to 80 gallons of water per acre or 1.0 to 2.0 gallons of water per 1,000 square feet). Maximum control of weeds will be obtained from spring or early fall applications when weeds are actively growing. Avoid applying during long excessively dry or hot periods unless adequate irrigation is available. Do not mow within two days before or after application.

Limitations on broadcast applications to ornamental turfgrass:

The maximum application rate is 3.0 pints per acre per application (0.45 lb 2,4-D ae, 0.23 lb MCP-p ae and 0.23 lb 2,4-DP-p ae per acre per application). The maximum number of broadcast applications is limited to 2 per year with a minimum of 30 days between applications. The maximum seasonal rate is 6.0 pints per acre (0.90 lb 2,4-D ae, 0.46 lb MCP-p ae and 0.46 lb 2,4-DP-p ae per acre).

Limitations on spot treatments for ornamental turfgrass:

Spot treatment is defined as a treatment area no greater than 1,000 sq.ft. per acre. The maximum application rate is 1.1 fl.oz. per 1,000 sq.ft. per application (0.23 lb 2,4-DP-p acid equivalent and 0.23 lb MCP-p acid equivalent per acre). The maximum number of spot treatments is limited to 2 per year with a minimum of 30 days between applications.

Controlled Droplet Applicator: Reduced rates of DMDP 897 must be used when grass is stressed from heat, drought, etc. Add 2.0 pints of DMDP 897 to the herbicide container then fill with 3 pints of water, keeping spray solution agitated. Spray entire contents over 33,000 square feet (about 0.75 acre). Do not overlap between spray patterns.

BENTGRASS TURF:

Apply DMDP 897 at a maximum rate of 0.5 fluid ounce per 1,000 square feet in spring or early fall when weeds are actively growing. Avoid overdosing bentgrass or injury may result. Increasing the spray volume to 3.0 gallons per 1,000 square feet will help avoid turf injury. Do not mow within two days before or after application.

Spray Drift Management

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, relative humidity) and method of ground application can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

Droplet Size

Use only Medium or coarser spray nozzles according to ASAE (S 572) definition of standard nozzles or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Wind Speed

Do not apply at wind speeds greater than 10 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if: a) conditions of temperature inversion exist, or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Susceptible Plants

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but are not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables, or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants.

Other State and Local Requirements

Applicators must follow all state and local pesticide drift requirements regarding application of 2,4-D herbicides. Where states have more stringent regulations, they must be observed.

Equipment

All ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates. Do not apply with a nozzle height greater than 4 feet above the target site. Aerial applications of this product are prohibited.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a locked storage area. Keep from freezing.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. 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. **For Plastic Containers** - 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.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- CONTAINS 2,4-D, MCPP-p AND 2,4-DP-p

DOCUMENT CONTROL INFORMATION

1. **Unique Label Identifier:** 002217-00740.20081105.proposed.doc

2. **Reason for Issue:** Various changes pertaining to re-registration. Re-format label.