

5905-498

03/11/2005

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 5905-498	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Brush-Rhap Low Volatile 4-D Herbicide	PM#	
5. Name and Address of Applicant (Include ZIP Code) Helena Chemical Company 225 Schilling Boulevard, Suite 300 Collierville, Tennessee 38017 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION MAR 11 2005
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Other Revisions
Notification of Other Revisions per PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> On Label	
6. Manner in Which Label is Affixed to Product Self Adhesive		<input checked="" type="checkbox"/> Lithograph Paper glued Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Mandy K. Styles	Title Product Registration Supervisor	Telephone No. (Include Area Code) (901) 752-4400
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Product Registration Supervisor	
4. Typed Name Mandy K. Styles	5. Date 3/1/2005	

BRUSH-RHAP® LOW VOLATILE 4-D HERBICIDE

2,4-D LOW VOLATILE

ACTIVE INGREDIENT:

*2-Ethylhexyl Ester of 2,4-Dichlorophenoxyacetic Acid 65.40%

INERT INGREDIENTS: 34.60%

TOTAL.....100.00%

*Equivalent to 43.4% 2,4-D Acid or 3.76 lb./gal.

Isomer specific by AOAC Method 6.D01-5 (12th Ed.)

Contains Petroleum Distillates

EPA REG. NO. 5905-498

NET CONTENTS:

EPA EST. NO.

SN

MAR 11 2005

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MANUFACTURED BY

HELENA CHEMICAL COMPANY

225 SCHILLING BOULEVARD, SUITE 300

COLLETTVILLE TENNESSEE 38017

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category 2 on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as Barrier Laminate, Butyl Rubber, Nitrile Rubber or Viton.
- Shoes plus socks
- Protective Eyewear
- Chemical-resistant apron when cleaning equipment, mixing or loading

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. After each day of use, clothing or PPE must not be re-used until it has been cleaned.

If this container contains over 1 gallon and less than 5 gallons, mixers and loaders who do not use a mechanical system (probe and pump) to transfer the contents of this container must wear coveralls or a chemical-resistant apron in addition to the other required PPE.

Engineering Controls Statements

If this container contains 5 gallons or more in capacity, do not open pour. A mechanical system (such as a 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. 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)], the handler PPE requirements may be reduced or modified as specified in the WPS.

When handlers use 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.

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Avoid contact with skin, eyes, or clothing. Harmful if swallowed.

Avoid inhaling vapor or spray mist.

FIRST AID

IF ON SKIN

- OR CLOTHING:**
- Take off contaminated clothing.
 - Rinse immediately with plenty of water for 15-20 minutes
 - Call a poison control center or doctor for treatment advice.

IF SWALLOWED:

- Call a poison control center or doctor immediately for advice.
- Do not give any liquid to the person.
- Do not induce vomiting unless instructed to do so by poison control center or doctor.
- Do not give anything by mouth to an unconscious or convulsing person.

IF IN EYES:

- 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 immediately for advice.

IF INHALED:

- Move victim 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 immediately for further treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency, call ChemTrec at 800-424-9300.

NOTE TO PHYSICIAN

Contains petroleum distillate - vomiting may cause aspiration pneumonia.

SEE INSIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

USER SAFETY RECOMMENDATIONS

Users 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.

ENVIRONMENTAL HAZARDS

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 apply when weather conditions favor drift from target area. Spray

equipment used in applying this product should be thoroughly cleaned before using for any other purpose. Use repeated flushing with soap and warm water or suitable chemical cleaner. It is best to use a separate sprayer for application of insecticides and fungicides. Do not contaminate water by cleaning of equipment or disposal of washwaters. This product will kill or seriously injure many desirable forms of vegetation. Do not apply directly to flowers, fruits, vegetables, grapes, ornamentals, cotton, or other desirable plants. Do not use when there is hazard from drifting mists. (Coarse sprays are less likely to drift.) Vapors from this product may injure susceptible plants in the immediate vicinity. Avoid contamination of water used for domestic purposes and irrigation purposes. Excessive amounts of this product in the soil may temporarily inhibit seed germination and plant growth.

This product is toxic to aquatic invertebrates. Drift or runoff may adversely affect aquatic invertebrates and nontarget plants. Do not contaminate water when disposing of equipment washwaters.

GROUNDWATER CONTAMINATION

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D 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.

CHEMIGATION PROHIBITION

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

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, 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 this 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 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 such as barrier laminate, butyl rubber, nitrile rubber, or viton.
--shoes plus socks
--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 agricultural 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 allow people (other than applicator) or pests on treatment area during application. Do not enter treatment area until spray has dried.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food, or feed by storage or disposal. Do not store under conditions which might adversely affect the container or its ability to function properly.

STORAGE: Do not store below temperature of 0°F. If frozen, warm to 40°F and redissolve before using by rolling or shaking container. This product can be stored in an unheated building. Store in a safe manner. Store in original container only. Keep container tightly closed when not in use. Reduce stacking height where local conditions can affect package strength. Personnel should use clothing and equipment consistent with good pesticide handling.

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:

Metal: 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.

Plastic: 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.

This product can reach groundwater as a result of mixing and loading. To minimize groundwater contamination from spills during mixing, loading, and cleaning of equipment, take the following steps:

Mixing and Loading: The mixing and loading of spray mixtures into the spray equipment must be carried out on an impervious pad (i.e., concrete slab, plastic sheeting) large enough to catch any spilled material. If spills occur, contain the spill by using an absorbent material (e.g., sand, earth, or synthetic absorbent). Dispose of the contaminated absorbent material by placing in a plastic bag and following disposal instructions on this label.

Triple rinse empty containers and add the rinsate to the mixing tank.

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Cleaning of Equipment: 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.

WHERE TO USE

BRUSH-RHAP® LOW VOLATILE 4-D is used for the control of broadleaved weeds, undesirable hardwood species, and brush in forest, rangeland, and pasture areas.

PLANTS CONTROLLED

BRUSH-RHAP® LOW VOLATILE 4-D will kill or control the following as well as many other noxious plants susceptible to 2,4-D:

- Alder
- Artichoke
- Bindweed (hedge, field, and European)
- Bitter wintercress
- Boxelder
- Buckhorn
- Bull thistle
- Bur ragweed
- Burdock
- Buttercup
- Canyon live oak
- Catnip
- Chickweed
- Chicory
- Cocklebur
- Coffeeweed
- Creeping jenny
- Curly indigo
- Dandelion
- Dock
- Dogwood
- Elderberry
- Goldenrod
- Ground ivy
- Hazel brush
- Hemp

APPLICATION INSTRUCTIONS

Add the recommended amount of product to about one-half the volume of water to be used in spraying. Mix well, then add remaining water and mix until spray mixture is uniform.

For aerial spraying, thoroughly mix the required amount of chemical in oil. Add this mixture to a sufficient amount of water to insure adequate coverage.

NOTE: This material forms an emulsion in water - not a solution and tends to separate on standing. Provide agitation in order to insure uniform spray mixtures. Best results are obtained when applications are made while the plants are well leafed and actively growing.

On Rangeland, Pastures, and for General Weed Control - Use 1 to 4 pints in sufficient water to give good coverage to one acre, depending on type of weeds and stage of growth. Use only on established stands of perennial grasses.

DO NOT graze dairy animals on treated areas within seven days after application. Do not slaughter for meat animals for 3 days after

- Hoary cress
- Honeysuckle

- Indigo
- Ironweed
- Purslane
- Jimsonweed
- Lambsquarters
- Russian thistle
- Locoweed
- Madrone
- Manzanita
- Mexicanweed
- Morningglory
- Mustard
- Nutgrass
- Pennywort
- Pigweed
- Plantain
- Poison ivy
- Polkweed
- Poplar
- Povertyweed
- Puncturevine
- Sagebrush
- Sassafras
- Shepherdspurse
- Smartweed
- Sowthistle
- Stinkweed
- Sumac
- Sunflower
- Tanoak
- Virginia creeper
- Wild garlic
- Wild lettuce
- Wild onion
- Wild radish
- Willow

treatment. Do not harvest grass cut for hay for 30 days after treatment.

USES IN FOREST MANAGEMENT

CONIFER RELEASE: For control of alder, apply 1-1/2 to 2 quarts of product per acre in sufficient volume to obtain proper contact and coverage and apply as a foliage spray between mid-May and mid-June.

For control of madrone, manzanita, oak, tanoak, and similar species to release hemlock, spruce, and firs, apply 3 quarts of product per acre in sufficient volume to obtain proper contact and coverage just prior to or during budbreak of Douglas fir.

For control of hazel brush and similar species in the Lake States area, apply 2 quarts of product per acre in sufficient volume to obtain proper contact and coverage when new shoot growth of hazel is complete.

SITE PREPARATION: (As Budbreak Spray) - For control of alder prior to planting seedlings, apply 2 to 4 quarts of product per acre in

sufficient volume to obtain proper contact and coverage after alder budbreak but before foliage is 1/4 full size.

(As Foliage Spray) - For control of alder prior to planting seedlings, apply 2 quarts of product per acre in sufficient volume to obtain proper contact and coverage after most alder leaves are full size.

OBSERVE THESE PRECAUTIONS

Avoid application of spray or drift of spray to desirable plants, as this product may injure cotton, tomatoes, beans, peas, most vegetables, ornamentals, grapes, or others. Even minute quantities of the spray may cause severe injury. Accordingly application by airplanes should be made only when there is no hazard from drift. All sprays are likely to drift under certain conditions. The finer the spray, the greater the likelihood of drift effect. Coarse sprays are less likely to drift.

Use only amount needed. **DO NOT OVERDOSE.**

Since vapors of the ester in this product may injure susceptible plants in the vicinity, use only where there is no danger from such vaporization.

Be sure that airplane spraying equipment has a quick-acting, effective cutoff valve, and is used from the lowest possible altitude by an aircraft operator experienced in the application of herbicides.

Do not use same equipment for other purposes. If necessary to use sprayer for any other spraying, be sure to thoroughly clean all equipment with a suitable chemical cleaner. (1 qt. household ammonia in 20 to 25 gals. water - let stand overnight, then rinse thoroughly with water.)

Do not store or place near fertilizers, seeds, plants, insecticides, or fungicides. Do not reuse empty container. See Storage and Disposal statement.

Obtain necessary approval and/or permits for use in states or areas where required.

Excessive amounts of this product in the soil may temporarily inhibit seed germination or plant growth.

CONDITIONS OF SALE - LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return the product, unopened, and the full purchase price will be refunded.

The directions on this label are believed to be reliable and should be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions or the failure to follow the label directions or good application practices, all of which are beyond the control of Helena Chemical Company (the "Company") or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. The Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of the Company. The Company makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose, and no such warranty shall be implied by law.

The exclusive remedy against the Company for any cause of action relating to the handling or use of this product shall be limited to, at Helena Chemical Company's election, one of the following:

1. Refund of the purchase price paid by buyer or user for product bought, or
2. Replacement of the product used

To the extent allowed by law, the Company shall not be liable and any and all claims against the Company are waived for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income. The Company and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.

© Copyright Helena Holding Company, 2005.
BRUSH-RHAP® is a registered trademark of Helena Holding Company.

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HELENA CHEMICAL COMPANY
225 Schilling Blvd., Suite 300
Collierville, Tennessee 38017
Telephone: 901/761-0050

March 1, 2005

U.S. Environmental Protection Agency
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
1801 South Bell Street
Crystal Mall #2, Room 266A
Arlington, VA 22202-4501

RE: Notification to Add Other Revisions

To Whom It May Concern,

Enclosed, you will find Helena Chemical Company's Notification for numerous products. Helena has updated the copyright company name, all trademarks, and registered trademarks from Helena Chemical Company to Helena Holding Company. This has been done on the following products:

- Helena Wetttable Sulphur 5905-289
- Fyfanon 25WP 5905-293
- Sol Oil 97 5905-294
- Sol Oil Plus 5905-302
- Helena Citrusperse Sulfur 5905-350
- Omni Supreme Spray 5905-368
- Helena 90% Sulfur Dust 5905-422
- Helena Liquid Sulfur Six 5905-437
- 6lb. Sodium Chlorate Defoliant Desiccant 5905-461
- Atrazine 4L 5905-470
- Helena Bravo S 5905-472
- Helena 4.8lb. Diuron Flowable Herbicide 5905-482
- Helena 3..5lb. Liquid Copper Concentrate 5905-483
- Copper Z 4/4 Algicide/Herbicide 5905-486
- Dimethoate 4EC 5905-493
- Setre Fluometuron 80WP Herbicide 5905-494
- Setre Prowl Herbicide + Propanil 5905-495
- Setre 1.5lb. Benfluralin EC 5905-496
- 5lb. Dimethoate Systemic Insecticide 5905-497
- Brush Rhap Low Volatile 4-D Herbicide 5905-498

This should also be noted on all alternate brand names of the master labels.

In support of these Notifications, you will find the following:

- EPA Form 8570-1
- 1 copy of the revised label highlighted

If you have any questions, do not hesitate to call me at (901) 752-4420 or by fax at (901) 758-1694. Thank you for your assistance in this matter.

Sincerely,

Mandy K. Styles
Product Registration Supervisor

