

PM 23

5904-504

file 1/9/10



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

FEB 24 1994

BEVERLY NEALE
HELENA CHEMICAL CO.
6075 POPLAR AVE. SUITE 500
MEMPHIS, TN. 38119

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 9/9/93 Response to PR Notice 93-7
EPA Reg. No. 5905-504
WEED-RHAP LV-5D HERBICIDE

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



Recycled/Recyclable
Printed with Soy/Canola ink on paper that
contains at least 50% recycled fiber

Submit the final printed labeling via the U.S. Postal Service to:

**Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001**

Hand or courier deliveries of final printed labeling may be made to:

**Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202**

Sincerely,



**Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)**

Attachment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division

Beverley Neale
HELENA CHEMICAL CO
6075 POPLAR AVE SUITE 500
MEMPHIS TN 38119

Comment for: EPA Reg Nr.5905-504
WEED-RHAP LV-5D HERBICIDE

The following specific comments pertain to your WPS labeling submission concerning the product cited above:

Remove the statement "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." from its current position within the Agricultural Use Box and place it above the Agricultural Use Box.

The correct restricted entry interval (REI) for this product is 12 hours. Your REI statement must read: "Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours." The exact location is shown in Section F on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

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revised for WPS 8/26/93
amended 9/9/93

BARRAGE

LOW VOLATILE HERBICIDE

ACTIVE INGREDIENT:

Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 78.1%

INERT INGREDIENTS: 21.9%

TOTAL 100.0%

Equivalent to 51.8% 2,4-D Acid or 4.7 lb./gal.
Isomer specific by AOAC Method 6.D01-5 (12th Ed.)

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE INSIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

EPA REG. NO. 5905-504
EPA EST. NO.

NET CONTENTS:

**MANUFACTURED BY
HELENA CHEMICAL COMPANY
MEMPHIS, TN 38119**

ACCEPTED
with COMMENTS
in EPA Letter Dated

24 1994

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

5905-504

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.

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 E 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, Nitrile Rubber, Neoprene 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.

Engineering Control Statements

If this container contains over 1 gallon and less than 5 gallons, mixers and loaders who do not use a closed 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.

If this container contains 5 gallons or more in capacity, a closed 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. The mechanical system must be 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.

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.

STATEMENT OF PRACTICAL TREATMENT

IF ON SKIN: Wash with plenty of soap and water. Get medical attention if irritation persists.

IF SWALLOWED: Call a physician or poison control center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.

IF IN EYES: Flush with plenty of water. Get medical attention if irritation persists.

IF INHALED: Move victim to fresh air. Give artificial respiration if needed. Get medical attention.

ENVIRONMENTAL HAZARDS

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 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 apply directly to water except as specified on this label. 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.

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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.

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 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.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 48 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, Nitrile Rubber, Neoprene 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. ~~Keep children and pets out of treated area until sprays have dried.~~

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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.

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.

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

BARRAGE is used to control broadleaf weeds in cereal crops, corn, sorghum, weeds, and brush in rangeland, pastures, rights-of-way, similar noncrop uses, and for aquatic weed control.

WEEDS CONTROLLED

BARRAGE will kill or control the following as well as many other noxious plants susceptible to 2,4-D:

- | | | | |
|--|----------------|---------------|------------------|
| Alligatorweed | Chicory | Locoweed | Sagebrush |
| Arrowhead | Cocklebur | Mexicanweed | Shepherdspurse |
| Artichoke | Coffeebean | Morningglory | Smartweed |
| Bindweed (hedge,
field, and European) | Creeping jenny | Mustard | Sowthistle |
| Bitter wintercress | Curly indigo | Nutgrass | Stinkweed |
| Boxelder | Duckweed | Parrotfeather | Sumac |
| Buckhorn | Elderberry | Pennywort | Sunflower |
| Bull thistle | Goldenrod | Pigweed | Virginia creeper |
| Bulrush | Ground ivy | Plantain | Water hyacinth |
| | Hemp | Poison ivy | Water lily |

Burdock	Hoary cress	Pokeweed	Water primrose
Bur ragweed	Honeysuckle	Povertyweed	Wild garlic
Buttercup	Indigo	Puncturevine	Wild lettuce
Canada thistle	Ironweed	Purslane	Wild onion
Catnip	Jimsonweed	Rush	Wild radish
Chickweed	Lambsquarters	Russian thistle	Willow

DIRECTIONS FOR USE

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. Agitate thoroughly while spraying to assure uniform emulsion. Best results are obtained when applications are made while the plants are well-leafed and actively growing.

ON FALL-PLANTED WHEAT, OATS, AND BARLEY - Use 7 to 10 fluid ounces of product in 5 to 10 gallons of water to cover one acre. Apply in early spring when weeds are small and before crop has reached the boot stage.

ON SPRING-PLANTED WHEAT, OATS, AND BARLEY - Use 7 fluid ounces of product in 5 to 10 gallons of water to cover one acre. Apply after the fully tillered stage, except during the boot to dough stage.

DO NOT forage or graze treated grain fields within two weeks after treatment with 2,4-D. **DO NOT** feed treated straw to livestock.

ON CORN AND SORGHUM - Use 7 fluid ounces of product in 5 to 10 gallons of water to cover one acre when weeds are in active growth. Local climatic conditions determine when treatment should be made. Best results are usually obtained when weeds are small and corn is 4 to 18 inches tall. **DO NOT** apply from tasseling to dough stage. Treat sorghum when 4 to 12 inches tall. Use drop nozzles when either crop is over 10 inches tall.

FOR PREEMERGENCE ON CORN - Use 26 to 51 fluid ounces of product in 5 to 10 gallons of water per acre. Use the higher rate on heavy soils. **DO NOT** use on sandy soils. Plant corn as deep as feasible.

ON TURF - Depending on type of weeds and stage of growth, use 14 to 42 fluid ounces of product and enough water to give sufficient coverage to one acre on established stands of perennial grasses. **DO NOT** use on creeping grasses such as bentgrass except for spot spraying. Newly seeded turf should not be treated until after the second mowing, and the lower dosage rate should be used. Possible injury may occur to Dichondra and clover.

NOTES FOR ALL TURF SITES: (excluding sod farms)

The maximum number of broadcast applications per treatment site is 2 per year.

ON RANGELAND, PASTURES, AND GENERAL WEED CONTROL - Use 14 to 56 fluid ounces of product 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. Keep dairy animals off treated areas for 7 days. Do not cut grass for hay for 30 days after treatment. Do not slaughter for meat animals for 3 days after treatment.

FOR AQUATIC WEEDS IN LAKES, PONDS, AND DRAINAGE DITCHBANKS - Use 35 to 63 fluid ounces of product in 50 to 100 gallons of water and apply to one acre. Application should be made when leaves are fully developed above waterline and plants actively growing. Treatment of dense weed areas can result in oxygen loss from decomposition of dead weeds. This loss can cause fish suffocation. Therefore, when treating water areas, aquatic weed control should proceed stepwise - in bands from the shore outwards. Treat only 1/3 to 1/2 of the water area every 10-14 days.

Perennial and other hard-to-control weeds may require a repeat application to give adequate control.

CAUTION

Do not apply this product to susceptible broadleaf plants that are desirable such as cotton, soybeans, tomatoes, grapes, clover, or ornamentals. Excessive amounts of this product in the soil may temporarily inhibit seed germination and all plant growth.

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

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, 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 is a claim for damage and in no event shall damages or any other recovery of any kind against the Company exceed the price of the product which causes the alleged loss, damage, injury, or other claim. 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.