


5905-506

06/30/2008

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 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460</p> <p>NOTICE OF PESTICIDE: <input type="checkbox"/> Registration <input checked="" type="checkbox"/> Reregistration (under FIFRA, as amended)</p>	EPA Reg. Number: 5905-506	Date of Issuance: 30 JUN 2008
	Term of Issuance:	
	Name of Pesticide Product: Weed-Rhap MCPA Ester	
Name and Address of Registrant (include ZIP Code): Helena Chemical Company 225 Schiling Boulevard, Suite 300 Collierville, TN 38017		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is reregistered in accordance with FIFRA sec. 4(g)(2)(C) provided that you:</p> <ol style="list-style-type: none"> 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) The text "per gallon" should be added to the footnote below the ingredient statement that states "Equivalent to 47.7% or 4 lbs of MPCA." 		
Signature of Approving Official: <i>Joanne J. Miller</i> Joanne Miller Product Manager 23 Herbicide Branch Registration Division (7505P)	Date: 30 JUN 2008	

3) Per the acute toxicity review, the following revisions are needed to the First Aid statements:

-The text "Have person sip a glass of water if able to swallow" currently on the label must be revised to read "Do not give any liquid to the person."

-Based on toxicity ranking, the First Aid statements must be placed on the label in the following order:

"IF SWALLOWED:....

IF ON SKIN OR CLOTHING....

IF IN EYES:..

IF INHALED:..."

-Misaligned text in the First Aid statements table must be corrected.

-The First Aid section must be placed after the Hazards to Humans and Domestic Animals section.

4) Per the acute toxicity review, a Note to Physician must be added to the label and must read:

"Note to Physician May pose an aspiration pneumonia hazard. Contains petroleum distillate."

5) Per the acute toxicity review, the text "Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals" must be added to the Hazards to Humans and Domestic Animals statements currently on the label.

6) Per the acute toxicity review, chemical-resistant gloves are required for all handlers. Therefore, the text "when mixing, loading, or using handheld equipment" must be deleted from the handler glove statements. Also, in the respirator text section, the superscript "2" should be removed and the typographical error "wit" should be corrected to read "with."

7) The text in **bold type** below must be added to the following User Safety Requirements: "...If no such instructions for washables **exist**, use detergent and hot water...".

8) The duplicate Environmental Hazard text appearing on Page 2 of the label ("Do not discharge effluent containing.....For guidance contact your State Water Board or Regional Office of the EPA") is unnecessary and conflicts with the text appearing on Page 1 of the label and should be deleted. Also, the text "This pesticide may be toxic to fish, aquatic invertebrates and aquatic plants" appearing in the Environmental Hazard text on Page 1 is no longer needed and should be deleted from the label.

9) The entry restriction text on Page 3 of the label ("Do not allow people or pets to enter the treated area until sprays have dried") should be moved to the Non-Agricultural Use Requirements box and replace the text that reads "Keep children and pets out of treated area until sprays have dried."

10) The following revisions are needed to the Storage and Disposal section:

-Per the product chemistry review, the heading "Storage" should be revised to read "Pesticide Storage."

-The heading "Pesticide Disposal" appearing before the text "For safety and prevention of unauthorized..." should be deleted from the label because this text is more appropriate to the

Pesticide Storage section of the label.

-The text "Absorb any spill with suitable clay absorbent and dispose of as indicated under" is incomplete and must be revised.

11) Per the MCPA RED, the text in bold type below must be added the first paragraph of the spray drift section: "Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. **The applicator and the grower are responsible for considering all these factors when making decisions.**"

12) The text "and many non-crop areas" is too vague and must be deleted from the text "MCP Ester is used to control broadleaf weeds in flax, small grains, grass pastures, rangeland, and many non-crop areas."

13) To the Warranty section add "to the extent consistent with applicable law" in front of "the company makes no other" and "the exclusive remedy".

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.

WEED-RHAP®

MCPA ESTER

ACTIVE INGREDIENT:

2-Ethylhexyl Ester of 2-Methyl-4- Chlorophenoxyacetic acid.....74.4%

INERT INGREDIENTS:.....25.6%

TOTAL 100.0%

Equivalent to 47.7% or 4 lbs. of MCPA.

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes, or clothing. Avoid inhaling vapor or spray mist.

Personal Protective Requirements:

Some materials that are chemical resistant to this product are :
Laminate, Nitrile Rubber, Neoprene Rubber and Viton: If you want more options, follow the instructions for category "F" on an EPA chemical resistant category selection chart":

Personal Protective Equipment:

Mixers, loaders, applicators, flaggers, and other handlers must wear:

- Long Sleeved shirt and long pants
- Shoes plus socks, and
- Chemical-resistant gloves when mixing, loading, or using any hand-held equipment.

Additional PPE requirements for mixers and loaders supporting aerial application to rangelands, pasturelands, or noncropland.

These mixers/loaders also must wear:

- A chemical-resistant apron and
- A NIOSH-approved respirator with dust/mist filter with MSHA/NIOSH approval prefix TC-21C or any N², R, P, or HE filter.

"See engineering Control for additional requirements".

USER SAFETY REQUIREMENTS:

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.

Engineering Controls Statement (including those for aerial applications):

- Enclosed Cockpits
- Pilots use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [(40 CFR 170.240 (d)(6)]

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.

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.

ENVIRONMENTAL HAZARDS:

This pesticide maybe toxic to fish, aquatic invertebrates and aquatic plants. Do not apply directly to water, to areas where the surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

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 table is shallow, may result in Groundwater contamination.

FIRST AID Statements	
IF IN EYES:	• Hold eyelid 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.
	• Call a poison control center or doctor immediately for treatment advice.
IF SWALLOWED:	• Call a poison control center or doctor immediately for treatment advice.
	• Do not induce vomiting unless told to do so by a poison control center or doctor.
	• Have person sip a glass of water if able to swallow.
	• Do not give anything to an unconscious or convulsing person.
IF ON SKIN OR CLOTHING:	• Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes
	• Call a poison control center or doctor immediately for treatment advice.
IF INHALED:	• Move victim to fresh air.
	• If not breathing, call 911 or an

ACCEPTED with COMMENTS In EPA Letter Dated:

30 JUN 2008

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

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ambulance, then give artificial respiration,
preferably mouth-to-mouth if possible.

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 1-800-424-9300.

See Inside Panel For Additional Precautionary Statements.

EPA REG. NO. 5905-506 NET CONTENTS:
EPA EST. NO. 228-IL-001 SN 030702/1102

MANUFACTURED FOR
HELENA CHEMICAL COMPANY
225 SCHILING BOULEVARD, SUITE 300
COLLIERVILLE, TENNESSEE 38017

Environmental Hazard Statements: 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 Pollution 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

CHEMIGATION STATEMENT

Do not apply through any type of irrigation system.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not cut or weld container.

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.

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
- Shoes plus socks and
- Chemical-resistant gloves made of waterproof material

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.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

STORAGE: Do not store this product near fertilizers, seeds, insecticides or fungicides. Protect product from freezing. If subjected to freezing conditions, warm to 70° F and agitate. This will return the product to original condition. Reclose all partially used containers by thoroughly tightening the screw cap. Damaged or leaking containers, which cannot be used immediately, should be transferred to suitable sound containers and properly marked. Absorb any spill with suitable clay absorbent and dispose of as indicated under

PESTICIDE DISPOSAL.

For safety and prevention of unauthorized use, all pesticides should be stored in locked facilities. To prevent accidental misuse, different pesticides should be stored in separate areas with enough distance between to provide clear identification.

Opened, partially-used pesticide should be stored in original labeled containers when possible. When transfer to another container is necessary because of leakage or damage, carefully mark and identify contents of the new container.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Triple rinse (or equivalent), adding rinsate to the tank. 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.

Disclaimer: Always refer to the label on the product before using Helena or any other product.

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GENERAL PRECAUTIONS AND RESTRICTIONS: WEED-RHAP

MCPA ESTER is injurious to most broadleaf plants. Although this product contains material of low volatility, use it with caution where the spreading of vapors can damage nearby susceptible plants.

Physical Drift from the application of this product may also cause injury to susceptible plants. Do not apply directly to or otherwise permit even minute amounts (such as spray drift) to contact fruit trees, vegetables, flowers, ornamentals, or other desirable plants susceptible to MCP. **DO NOT APPLY IN THE VICINITY OF COTTON, GRAPES, TOBACCO, OR TOMATOES.** Do not use in or near a greenhouse. Do not spray when wind is blowing towards susceptible crops or ornamental plants.

Spray Drift Management:

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift.

Apply only as a medium or coarser spray (ASAE standard 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

Apply only when wind speed is 2-10 mph at the application site.

WHERE TO APPLY:

MCP Ester is used to control broadleaf weeds in flax, small grains, grass pastures, rangeland, and many non-crop areas. This product will kill or control the following weeds in addition to many other noxious plants susceptible to MCP:

Most Susceptible Weeds (most areas):

Arrowhead
Beggar Tick
Burdock
Cocklebur
Croton (goatweed)
Galinsoga
Goatsbeard
Jimsonweed
Lambsquarters
Marshelder
Mint (dragonhead)
Mustard
Pennygrass (field)
Pepperweed (field)
Puncturevine
Ragweed
Redstem
Shepherdspurse
Sicklepod
Sneezeweed
Stinkweed
Water Plantain
Wild Radish
Witchweed
Yellow Rocket (winter cress)

Additional requirements for aerial applications:

The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

Release spray at the lowest height consistent with efficacy and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy.

When applications are made with a crosswind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind.

Do not make applications into temperature inversions

Additional requirements for ground boom applications:

Do not apply with a nozzle height greater than 4 feet above the crop canopy

Application Restrictions:

Do not apply this product in a way that will contact any person, or pet, either directly or through drift. Keep people and pets out of the area during application.

Entry Restrictions: Do not allow people or pets to enter the treated area until sprays have dried.

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and many other species.

Less Susceptible Weeds:

Burcucumber
Buttercup
Canada Thistle
Catsear
Chervil
Dandelion
Hempnettle
Hoary Cress
Honeysuckle
Miner's Lettuce
Plantain
Pigweed
Purslane
Sow Thistle
Stinging Nettle
Sunflower
Vetch
White Top

WHEN TO APPLY:

Apply the product during warm weather when weeds are young and actively growing. Uniform spray coverage is necessary for best results. Generally the lower dosages listed will be satisfactory for young, succulent growth of sensitive weed species. For less sensitive species and under conditions where control is difficult, the higher doses will be needed.

HOW TO APPLY:

PREPARING THE SPRAY: Mix the MCP ester with water unless otherwise indicated on the label. Fill the mixing tank or spray tank with approximately 1/2 the amount of water to be used for spraying. Add the required amount of product with agitation. Add the remainder of the water while continuing to agitate. Note: Adding oil, wetting agents, or other adjuvants to the spray may reduce selectivity to crops, possibly causing crop damage.

SPRAYING CONDITIONS: Use a moderate spray pressure of approximately 20 PSI. Enough spray volume should be used to give good coverage of the weeds being sprayed. This is usually 5 to 30 gallons by ground application or 3 to 10 gallons by air. Higher spray volumes may be useful in some situations to provide better spray coverage when weeds are especially dense and/or to reduce spray drift.

WEED CONTROL APPLICATIONS

FLAX: Use 1/4 to 1/2 pint per acre. Apply by ground sprayer or by airplane. Use sufficient water to give uniform and adequate coverage. Apply only when weeds are up and when flax is 4 to 8 inches high and before it comes into bud. Treatment after early bud stage may result in severe damage. If Canada thistle is present, it may be necessary to go as high as 1/2 pint per acre to prevent seed head production. Some injury to the flax may result. Flax varieties may vary in tolerance to MCPA. **NOTE: Do not apply more than 1/2 Pint (.25 lb ae) per acre per year.** Consult local Extension Service or University Specialists for advice on herbicide use in flax. Do not

forage or graze meat animals on treated areas within seven days of slaughter.

WEED CONTROL IN SMALL GRAINS: NOTE: Do not permit dairy animals or meat animals being finished for slaughter to forage or graze treated grain fields within 2 weeks after treatment. Do not forage or graze meat animals on treated areas within 7 days of slaughter.

Wheat, Barley, Oats and Rye: Use 1/2 to 1.5 pints of MCP ester per acre for the more susceptible weeds when grains are in the 3 to 4 leaf stage or up to early boot stage. Apply when weeds are very small for best results. **NOTE:** Do not apply more than 1.5 pints (.75 lb ae) acre per year during the boot-to-dough stage of the grain.

SOD FARMS:

Do not apply more than 3 Pints (1.5 lb ae) per acre per year. Do not apply more than 2 applications per year with a minimum Retreatment interval of 21 days.

GOLF COURSES:

Do not apply more than 3 pints (1.5 lb) per acre per year. Do not apply more than 2 applications per year with a minimum Retreatment interval of 21 days.

RESIDENTIAL TURF:

Do not apply more than 3 pints (1.5 lb ae) per acre per year. Do not apply more than 2 applications per year with a minimum Retreatment interval of 21 days.

GRASSES GROWN FOR SEED: Use 1 to 3 pints per acre, the higher rate where weed stands are heavy. In established grasses, apply in spring before head comes into boot and on seedling grass after grass has tillered. Do not use from early boot to milk stage

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Do not apply more than 3 pints (1.5 lb ae.) per acre per year. Do not apply more than 2 applications per year with a minimum Retreatment interval of 21 days.

PASTURE/RANGELAND: Use 1 to 3 pints of MCP ester per acre. Apply when weeds are small and actively growing for best results. Use the higher rates for whitetop, Canada thistle, buttercup and other more difficult to control weeds. Spray perennials in early bud to full bloom stage and regrowth in the fall. Legumes may be injured or killed. Do not apply more than 3 pints (1.5 lb ae) per acre per year. Do not apply more than 2 applications per year with a minimum Retreatment interval of 21 days.

NOTE FOR WEED CONTROL IN GRASSES: Do not use this treatment where legumes, especially alfalfa, are present and desirable. In some areas, bent, buffalo, carpet, and St. Augustine grasses may be susceptible to injury. Do not use on newly seeded areas until grass is well established.

NON-CROP Land Rights-of-Way (Broadcast Treatment): For control of susceptible weeds in fencerows, fallow lands, rights-of-way, roadsides and similar areas, use 3 pints of product per acre in enough water to give sufficient coverage. Do not apply more than 3 Pints (1.5 lbs ae) per acre per year. Do not apply more than 2 applications per year with a minimum Retreatment interval of 21 days. NOTE: On fallowland, do not plant any crop until 3 months after treatment or until chemical has disappeared from soil.

Noncropland Rights-of-Way (SPOT TREATMENT): For weed control in pastures, rangelands, and in non-crop areas such as fence rows, farmyards, shelter-belts, and roadsides: Do not use more than 3 Quarts (3.0 lb ae) per acre per year to control weeds such as Canada thistle, white top, meadow buttercup, and Texas blueweed. Apply when weeds are growing vigorously, usually prior to bloom, and spray fall regrowth if necessary.

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.

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