



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

December 4, 2020

Glenda Haage
Helena Agri Enterprises, LLC
d/b/a Helena Chemical Company
225 Schilling Blvd., Suite 300
Collierville, TN 38017

Subject: Notification per PRN 98-10 – Revision to warranty statement
Product Name: Fluroxypyr Technical
EPA Registration Number: 5905-631
Application Date: 10/8/2019
Decision Number: 557182

Dear Ms. Haage:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped "Notification" and will be placed in our records.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

If you have any questions, you may contact please contact David Drawbaugh at 703-731-8818 or by email at Drawbaugh.David@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", is written over a horizontal line.

Kable Bo Davis
Acting Senior Advisor
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

Fluroxypyr Technical

HERBICIDE

For Manufacturing Use Only

Active Ingredient:

Fluroxypyr 1-methylheptyl ester: ((4-amino-3,5-dichloro-6-fluro-2-pyridinyl)oxy)

Acetic acid, 1-methylheptyl ester.....98.6%

Other Ingredients.....1.4%

Total.....100.0%

Caution

Precautionary Statements

Hazards to Humans and Domestic Animals

Harmful if swallowed, inhaled or absorbed through the skin. Avoid contact with eyes, skin, or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse.

First Aid

If swallowed: Call a poison control center or doctor immediately for treatment advise. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything to an unconscious 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 for further treatment advice.

If inhaled: 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 further treatment advice.

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 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 800-424-9300 for emergency medical treatment information.

Manufactured for:

Helena Agri-Enterprises, LLC
225 Schilling Blvd., Suite 300
Collierville, TN 38017

NOTIFICATION

5905-631

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

12/04/2020

EPA Reg. No. 5905-631

EPA Est. No.

Net Contents:

Environmental Hazards

Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
For formulation into an end-use herbicide only for use on:

- barley, wheat and oats, field corn, sweet corn, sorghum, triticale, and grasses grown for seed
- fallow cropland
- non-cropland, including rangeland, permanent pastures and pine plantations,
- turf

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Keep container closed when not in use. Store in original container and out of reach of children, preferably in a locked storage.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile and dispose of as directed for pesticides below. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away.

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

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. For metal or plastic containers, triple rinse container (or equivalent) promptly after emptying. For fiber drums, completely empty the residue into manufacturing equipment. Then (for all containers), offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill or by incineration if allowed by state or local authorities. If burned, stay out of smoke.

**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 must 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 Agri-Enterprises, LLC or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. The Helena Agri-Enterprises, LLC 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 Helena Agri-Enterprises, LLC. To the extent consistent with applicable law, the Helena Agri-Enterprises, LLC 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.

To the extent consistent with applicable law, the exclusive remedy against the Helena Agri-Enterprises, LLC for any cause of action relating to the handling or use of this product shall be limited to, at Helena Agri-Enterprises, LLC'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 consistent with applicable law, the Helena Agri-Enterprises, LLC shall not be liable and any and all claims against the Helena Agri-Enterprises, LLC 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 Helena Agri-Enterprises, LLC 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.

190925