

7969-320

2/23/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (7505P)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:

7969-320

Date of Issuance:

FEB 23 2011

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(under FIFRA, as amended)

Term of Issuance:

Unconditional

Name of Pesticide Product:

KIFIX 70 DG Herbicide

Name and Address of Registrant (include ZIP Code):

BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709

Note: Changes in label information from 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.

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.

This product is conditionally registered in accordance with FIFRA section 3(c)(5) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for registration review of your product under FIFRA section 3(g).
2. Make the following label changes before you release the product for shipment:
  - a. Revise the EPA Registration Number to read, "EPA Reg. No. 7969-320".
  - b. Add the batch number to product label in disposable containers before shipment.
  - c. Add the EPA Establishment Number to product label before shipment.

Signature of Approving Official:

Kable Bo Davis, Product Manager (25)  
Herbicide Branch, Registration Division (7505P)

Date:

FEB 23 2011

3. The data requirements for storage stability (830-6317) and corrosion characteristics (830-6320) have not been satisfied, and must be submitted within eighteen months of the date of this letter.
4. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 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 regarding this notice, please contact Phil Errico at (703) 305-6663 or [errico.philip@epa.gov](mailto:errico.philip@epa.gov).

Kable Bo Davis  
Product Manager (25)  
Herbicide Branch  
Registration Division (7505P)

Enclosure- Stamped Labeling

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# RESTRICTED USE PESTICIDE

Restricted due to toxicity categories. For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.



The Chemical Company

## KIFIX™ 70 DG herbicide

For use in noncrop areas including railroad, utility, pipeline and highway rights-of-way; petroleum tank farms, pumping installations, non-agricultural fence rows, and storage areas

### Active Ingredients:

imazapyr: 2-[4-Methyl-4-(1-methylethyl)-5-oxo-2-imidazolin-2-yl] nicotinic acid.....	52.5%
imazapic: (RS)-2-(4-isopropyl-4-methyl-5-oxo-2-imidazolin-2-yl)-5-methyl-nicotinic acid .....	17.5%
<b>Other Ingredients:</b> .....	<u>30.0%</u>
<b>Total:</b> .....	100.0%

1 pound of Kifix 70 DG herbicide contains 0.525 pound of imazapyr and 0.175 pound of imazapic active ingredient as the free acid.

EPA Reg. No. 7969-xxx

EPA Est. No.

# KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

See inside for complete First Aid, Precautionary Statements, Directions For Use, and Conditions of Sale and Warranty.

In case of an emergency endangering life or property involving this product, call 1-800-832-HELP (4357).

### Net Contents:

BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709

AGREED  
with COMMENTS  
In EPA Letter Dated:  
FEB 23 2011

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
7969-320

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<b>FIRST AID</b>	
<b>If in eyes</b>	Hold eyes open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes; then continue rinsing. Call a poison control center or doctor for treatment advice.
<b>If swallowed</b>	Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. <b>DO NOT</b> induce vomiting unless told to by a poison control center or doctor. <b>DO NOT</b> give anything to an unconscious person.
<b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastric lavage.	
<b>HOTLINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).	

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**Restricted Use Pesticide** due to toxicity categories. For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

**DANGER.** Corrosive. Causes irreversible eye damage. **DO NOT** get in eyes or on clothing. Wear goggles or face shield. Harmful if swallowed.

#### **Personal Protective Equipment (PPE)**

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

#### **Mixers, loaders, applicators, and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear (goggles, face shield, or safety glasses)

Follow manufacturer's instructions for cleaning/maintaining PPE. If no instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. **DO NOT** reuse them.

#### **Engineering Controls**

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(6)].

**USER SAFETY RECOMMENDATIONS**

**Users should:**

- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE 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**

This product is toxic to plants. Drift and runoff may be hazardous to plants in water adjacent to treated areas. **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** contaminate water when disposing of equipment washwaters or rinsate. See **DIRECTIONS FOR USE** for additional precautions and requirements.

**PHYSICAL AND CHEMICAL HAZARDS**

Spray solutions of **Kifix™ 70 DG herbicide** should be mixed, stored and applied in stainless steel, fiberglass, plastic, and plastic-lined steel containers.

**DIRECTIONS FOR USE**

It is a violation of federal law to use this product in a manner inconsistent with its labeling. This label must be in the possession of the user at time of herbicide application.

**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.

Observe all precautions and restrictions in this label and the labels of products used in combination with **Kifix 70 DG**. Always follow the most restrictive label use directions.

**NONAGRICULTURAL USE REQUIREMENTS**

The requirements in this box apply to uses of this product that are **NOT** within the scope of the Worker Protection Standard (WPS) 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.

Noncrop weed control is not within the scope of the Worker Protection Standard. See the **PRODUCT INFORMATION** section of this label for a description of noncrop sites.

**DO NOT** enter or allow others to enter treated areas until sprays have dried.

## **STORAGE AND DISPOSAL**

### **PESTICIDE STORAGE**

Keep dry. **DO NOT** contaminate water, food or feed by storage or disposal.

### **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.** Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

#### **Triple rinse containers small enough to shake (capacity ≤ 50 pounds) as follows:**

Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

**Pressure rinse as follows:** Empty the remaining contents into application equipment or mix tank. Hold container upside down over application equipment or mix tank, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

### **IN CASE OF EMERGENCY**

In case of large-scale spillage regarding this product, call:

- CHEMTREC 1-800-424-9300
- BASF Corporation 1-800-832-HELP (4357)

In case of medical emergency regarding this product, call:

- Your local doctor for immediate treatment
- Your local poison control center (hospital)
- BASF Corporation 1-800-832-HELP (4357)

## PRODUCT INFORMATION

**Kifix™ 70 DG herbicide** is recommended for control of many annual and perennial grasses and broadleaf weeds on noncropland areas including railroad, utility, pipeline and highway rights-of-way; petroleum tank farms, pumping installations, non-agricultural fence rows, and storage areas. **Kifix 70 DG** may be applied at any time throughout the year; however, for maximum effectiveness, the product should be applied when weeds are small.

## MIXING INSTRUCTIONS

Fill the spray tank 1/4 to 1/2 full with clean water. While agitating, add the specified amount of **Kifix 70 DG**; then fill the remainder of the tank with water.

For postemergence applications, add a spray adjuvant. Maintain agitation while spraying to ensure a uniform spray mixture.

When tank mixing **Kifix 70 DG** with other herbicides, add the **Kifix 70 DG** first and make sure it is thoroughly mixed before adding the other herbicide.

## APPLICATION INSTRUCTIONS

For broadcast application, uniformly apply **Kifix 70 DG** with properly calibrated ground or aerial application equipment. **Kifix 70 DG** may be applied as a spot spray using appropriate ground application equipment, such as a backpack sprayer or a hand gun.

### Spray Drift Requirements

#### Aerial Applications

- Applicators are required to use a coarse or coarser droplet size (ASABE S572) or, if specifically using a spinning atomizer nozzle, applicators are required to use a volume mean diameter (VMD) of 385 microns or greater for release heights below 10 feet. Applicators are required to use a very coarse or coarser droplet size or, if specifically using a spinning atomizer nozzle, applicators are required to use a VMD of 475 microns or greater for release heights above 10 feet. Applicators must consider the effects of nozzle orientation and flight speed when determining droplet size.
- Applicators are required to use upwind swath displacement.
- The boom length must not exceed 60% of the wingspan or 90% of the rotor blade diameter to reduce spray drift.
- Applications with wind speeds less than 3 mph and with wind speeds greater than 10 mph are prohibited.
- Applications into temperature inversions are prohibited.

#### Ground Boom Applications

- Applicators are required to use a nozzle height below 4 feet above the ground or plant canopy and coarse or coarser droplet size (ASABE S572) or, if specifically using a spinning atomizer nozzle, applicators are required to use a volume mean diameter (VMD) of 385 microns or greater.
- Applications with wind speeds greater than 10 mph are prohibited.
- Applications into temperature inversions are prohibited.

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**Kifix™ 70 DG herbicide** is for use in noncrop areas including railroad, utility, pipeline and highway rights-of-way; petroleum tank farms, pumping installations, non-agricultural fence rows, and storage areas.

### APPLICATION RATES

- For broadcast applications, apply 1.0 pound of **Kifix 70 DG** per acre.
- For spot sprays, prepare a 1.0% to 5.0% weight/volume (w/v) mixture with water.

### PRECAUTIONS AND RESTRICTIONS

- **DO NOT** apply more than 1.0 pound of **Kifix 70 DG** per acre per season.
- **DO NOT** use on food or feed crops.
- **DO NOT** treat irrigation ditches or water used for crop irrigation or for domestic uses.
- **DO NOT** apply where runoff or irrigation water may flow onto agricultural land or injury to crops may result. Keep from contact with fertilizers, insecticides, fungicides and seeds.
- **DO NOT** apply or rinse equipment on or near desirable trees or other plants, or on areas where their roots may extend, or in locations where the chemical may be washed or moved into contact with their roots.
- **DO NOT** side trim desirable vegetation with this product unless severe injury or death can be tolerated.
- Prevent drift of spray to desirable plants.
- **DO NOT** use on lawns, walks, driveways, tennis courts, or similar areas.
- **DO NOT** use in California.

### PRECAUTIONS FOR AVOIDING INJURY TO NONTARGET PLANTS

Untreated desirable plants can be affected by root uptake of **Kifix 70 DG** from treated soil. Injury or loss of desirable plants may result if **Kifix 70 DG** is applied on or near desirable plants, on areas where their roots extend, or in locations where the treated soil may be washed or moved into contact with their roots. When making applications where desirable plants may be present, caution should be exercised to avoid spray contact with their foliage or spray application to the soil in which they are rooted.

If treated vegetation is to be removed from the application site, **DO NOT** use the vegetative matter as mulch or compost on or around desirable species.

### WEEDS CONTROLLED

**Kifix 70 DG** will control and/or suppress the following plants:

#### Grasses

- Annual bluegrass (*Poa annua*)
- Bahiagrass (*Paspalum notatum*)
- Barnyardgrass (*Echinochloa crus-galli*)
- Beardgrass (*Andropogon* spp.)
- Bermudagrass (*Cynodon dactylon*)
- Big bluestem (*Andropogon gerardii*)
- Broadleaf signalgrass (*Brachiaria platyphylla*) (continued)



**WEEDS CONTROLLED** *(continued)*

**Grasses** *(continued)*

- Browntop millet (Bracharia ramosa)
- Canada bluegrass (Poa compressa)
- Cattail (Typha spp.)
- Centipedegrass (Eremochloa ophiuroides)
- Cheat (Bromus secalinus)
- Crabgrass (Digitaria spp.)
- Dallisgrass (Paspalum dilatatum)
- Downy brome (Bromus tectorum)
- Fall panicum (Panicum dichotomiflorum)
- Fescue (Festuca spp.)
- Foxtail (Setaria spp.)
- Goosegrass (Eleusine indica)
- Guineagrass (Panicum maximum)
- Italian ryegrass (Lolium multiflorum)
- Johnsongrass (Sorghum halepense)
- Kentucky bluegrass (Poa pratensis)
- Lovegrass (Eragrostis spp.)
- Orchardgrass (Dactylis glomerata)
- Paragrass (Brachiaria mutica)
- Prairie cordgrass (Spartina pectinata)
- Prairie threeawn (Aristida oligantha)
- Quackgrass (Agropyron repens)
- Sandbur (Cenchrus spp.)
- Sand dropseed (Sporobolus cryptandrus)
- Smooth brome (Bromus inermis)
- Timothy (Phleum pratense)
- Torpedograss (Panicum repens)
- Vaseygrass (Paspalum urvillei)
- Wild barley (Hordeum spp.)
- Wild iris (Iris versicolor)
- Wild oats (Avena fatua)
- Wirestem muhly (Muhlenbergia frondosa)
- Witchgrass (Panicum capillare)

**Broadleaf Weeds**

- Bigleaf aster (Aster macrophyllus)
- Blue mustard (Chorispora tenella)
- Bull thistle (Cirsium vulgare)
- Burdock (Arctium spp.)
- Buttercup (Ranunculus testiculatus)
- Camphorweed (Heterotheca subaxillaris)
- Canada thistle (Cirsium arvense)
- Carolina geranium (Geranium carolinianum)
- Carpetweed (Mollugo verticillata)
- Clover (Trifolium spp.)
- Cocklebur (Xanthium strumarium) *(continued)*

**WEEDS CONTROLLED** (continued)

**Broadleaf Weeds** (continued)

- Common chickweed (Stellaria media)
- Common ragweed (Ambrosia artemisiifolia)
- Dandelion (Taraxacum officinale)
- Dock (Rumex spp.)
- Dogfennel (Eupatorium capillifolium)
- Eclipta (Eclipta prostrata)
- Filaree (Erodium spp.)
- Fleabane (Erigeron spp.)
- Florida beggarweed (Desmodium tortuosum)
- Florida pusley (Richardia scabra)
- Giant ragweed (Ambrosia trifida)
- Hoary vervain (Verbena stricta)
- Horseweed (Conyza canadensis)
- Indian mustard (Brassica juncea)
- Kochia (Kochia scoparia)
- Lambsquarters (Chenopodium album)
- Lespedeza (Lespedeza spp.)
- Little mallow (Malva parviflora)
- Milkweed (Asclepias spp.)
- Miner's lettuce (Montia perfoliata)
- Mullein (Verbascum spp.)
- Nettleleaf goosefoot (Chenopodium murale)
- Oxeye daisy (Chrysanthemum leucanthemum)
- Pepperweed (Lepidium spp.)
- Pigweed (Amaranthus spp.)
- Plantain (Plantago spp.)
- Poison hemlock (Conium maculatum)
- Pokeweed (Phytolacca americana)
- Primrose (Oenothera kunthiana)
- Prostrate knotweed (Polygonum aviculare)
- Purslane (Portulaca spp.)
- Silverleaf nightshade (Solanum elaeagnifolium)
- Smartweed (Polygonum spp.)
- Sorrell (Rumex spp.)
- Sowthistle (Sonchus spp.)
- Sunflower (Helianthus spp.)
- Sweet clover (Melilotus spp.)
- Tansymustard (Descurainia pinnata)
- Texas thistle (Cirsium texanum)
- Western ragweed (Ambrosia psilostachya)
- White heath aster (Aster pilosus)
- Wild carrot (Daucus carota)
- Wild lettuce (Lactuca spp.)
- Wild parsnip (Pastinaca sativa)
- Wild turnip (Brassica campestris)
- Woollyleaf bursage (Franseria tomentosa)
- Yellow starthistle (Centaurea solstitialis)
- Yellow woodsorrel (Oxalis stricta)

**Conditions of Sale and Warranty**

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.**

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.**

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

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