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9719-128

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

JAN 28 1994

GLEND A HAAGE
RIVERSIDE/TERRA CORP.
600 FOURTH STREET
SIOUX CITY, IA 51101

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 07/27/93 In Response to PR Notice 93-7
EPA Reg. No. 9779-128
R DSMA HERBICIDE

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

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 listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.

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Recycled/Recyclable
Printed with SoyCanolet Ink on paper that
contains at least 50% recycled fiber

Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

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IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the 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 neither been reviewed nor 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:

Submit the required notification. Then 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 as amended

AND

- **WITHIN** one year from date of this acceptance.

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

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Hand or courier deliveries of final 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

cc: Office of Compliance Monitoring

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Riverside Trademark*

DSMA HERBICIDE

Contains 3.6 pounds of DSMA plus surfactant

ACTIVE INGREDIENT

Disodium Methanearsonate, anhydrous*.....21.8%

INERT INGREDIENTS.....78.2%

TOTAL 100.0%

Total arsenic (as elemental) all in water soluble form 8.9%

*Product contains 3.6 pounds of DSMA per gallon.

~~STOP READ LABEL BEFORE USING.~~

KEEP OUT OF REACH OF CHILDREN

CAUTION

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Contact your local poison control center, hospital, or physician. If the patient is unconscious, maintain breathing and heartbeat (cardiopulmonary resuscitation). If the patient is conscious and alert, induce vomiting (syrup of ipecac or stimulate the back of the throat with a finger). Never give anything by mouth to an unconscious person.

IF INHALED: Remove victim to fresh air and apply respiration if indicated.

IF ON SKIN: ~~Remove contaminated clothing and~~ wash with soap and water.

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

See additional PRECAUTIONARY STATEMENTS on side panel.

EPA Reg. No. 9779-128

EPA Est. Nos. 9779-AL-1^M, 9779-AR-1^P
Lot no. indicates establishment)

Manufactured For
RIVERSIDE/TERRA CORPORATION
Terra Centre, P.O. Box 6000, Sioux City, Iowa 51102
Riverside Serves Agriculture. Agriculture Serves Everyone.

NET CONTENTS
____ GALS.

ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 28 1994

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
9779-128

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PRECAUTIONARY STATEMENTS
CAUTION
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Avoid contact with skin. Avoid breathing spray mist. ~~Wash hands after using. Keep children and domestic animals off treated areas until this material has been washed into the soil. Do not apply this product in such a manner as to directly or through drift expose workers or other persons. The area being treated must be vacated by unprotected persons.~~

Applicators and other handlers (other than mixers and loaders) must wear long-sleeved shirt and long pants, waterproof gloves, shoes plus socks. For exposures outdoors, use a respirator with either an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G). For exposures in enclosed areas, use a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C). *outdoors*

Mixers and Loaders must wear long-sleeved shirt and long pants, waterproof gloves, and shoes plus socks. For exposures outdoors, use a respirator with either an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G). For exposures in enclosed areas, use a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C).

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

When handlers use closed systems, 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.

*enclosed areas
two lists
for PPE
are not
necessary
if they
are the
same.*

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not apply when weather conditions favor drift from target areas. Do not contaminate water when disposing of equipment washwaters.

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 through any type of irrigation system.

delete

~~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, waterproof gloves, and shoes plus socks.

~~REENTRY STATEMENT~~

~~Do not enter treated areas without protective clothing until sprays have dried.~~

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~~Because certain states may require more restrictive reentry intervals for various crops treated with this product, consult your State Department of Agriculture for further information.~~

~~NOTICE TO CROP OWNERS~~

~~Written or oral warnings must be given to workers who are expected to be in a treated area or in an area about to be treated with this product. In case of accidental exposure follow the information given under STATEMENT OF PRACTICAL TREATMENT and have exposed person(s) see a physician. When oral warnings are given, warnings shall be given in a language customarily understood by workers. Oral warnings must be given if there is a reason to believe that written Warnings cannot be understood by workers. Written warnings must include the following information: CAUTION. Area treated with DSMA on (date). Do not enter without appropriate protective clothing until sprays have dried. In case of accidental exposure, refer to the STATEMENT OF PRACTICAL TREATMENT on the label.~~

~~PROTECTIVE CLOTHING REQUIREMENTS~~

~~Wear protective clothing when handling or applying this product including long pants, long sleeve shirt, and impermeable gloves and boots. Mixer loaders should include an apron and full face shield when handling or mixing concentrate. Flagmen should be fully protected during spray operations or mechanical flagmen used. Pilots and ground spray rig applicators should wear a mask or respirator approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health.~~

~~STORAGE AND DISPOSAL~~

~~DO NOT CONTAMINATE WATER, FOOD, OR FEED BY STORAGE OR DISPOSAL.~~

~~STORAGE~~

~~Store in a dry location away from children, animals, foods, feeds, seeds, or other agricultural chemicals. Handle in accordance with information given under PRECAUTIONARY STATEMENTS. In the event of spillage or leakage, soak up material with absorbent clay, sand, sawdust, or other absorbent material. Scrape up and dispose of in accordance with information given under DISPOSAL. Repackage and relabel useable product in a sound container. In case of fire or other emergency, report at once by toll-free telephone to 800-424-9300.~~

~~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 DISPOSAL: Plastic Containers--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. Metal Containers--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.

GENERAL INFORMATION

DSMA Herbicide is useful for selective post-emergent weed control, particularly for grassy weeds. It is a combination of herbicide and surfactants. It is unnecessary to add any other surfactant to the spray solution. Best results are obtained on young, actively growing weeds at air temperatures above 70°F.

COTTON: DSMA Herbicide is useful as a spray application to weeds in cotton for post-emergence control of grasses and broadleaved weeds, including barnyardgrass, crabgrass, cocklebur, dallisgrass, foxtail, goosegrass, Johnsongrass, morningglory, nutsedge, pigweed, puncture vine, ragweed, sandbur, and watergrass.

PREPLANT OR POSTPLANT UP TO CRACKING APPLICATION ON COTTON: A single ground or aircraft application of DSMA Herbicide can be made to prepared cotton seedbeds when planting has been delayed and weeds have emerged, or as a post-plant treatment, but no later than initial cracking of soil in field before emergence of cotton. Planting of cotton may immediately follow the preplant application. Mix at a rate of 1 gallon of DSMA Herbicide in 40 gallons of water for broadcast ground application, or in 5 to 10 gallons of water for aircraft application and apply to one acre using a properly calibrated sprayer.

POSTEMERGENT, OVER-THE-TOP APPLICATION ON COTTON: A single ground or aircraft application may be made as an over-the-top broadcast spray to actively growing cotton as a salvage operation when cotton is 3 to 6 inches high or up to early first square stage, whichever occurs first. Mix DSMA Herbicide at a rate of 3 to 4 pints in 40 gallons of water for ground application, or in 5 to 10 gallons of water for aircraft application and apply to one acre using a properly calibrated sprayer. Apply as an over-the-top broadcast spray only when cotton is 3 to 6 inches high or up to early first square stage, whichever occurs first.

Do not apply as an over-the-top broadcast spray after cotton is more than 6 inches high or after early first square stage.

Slight burning and reddish discoloration of cotton foliage may occasionally be seen following recommended treatment.

DIRECTED APPLICATION: Direct the spray solution to the base of the cotton plant. Nozzles should be placed so as to avoid spraying the cotton foliage, but to give good coverage of the weeds and grasses. Apply the spray solution at a broadcast rate of 40 gallons per acre. For band application apply at a rate of 1 gallon of the

spray solution per 1 inch of band width to be treated on cotton grown in 40-inch rows. A second application may be required during humid growing conditions. Time the second application, if necessary, about 1 to 3 weeks after the first application.

Apply only when cotton is 3 inches high to first bloom. Do not apply after first bloom.

Slight burning and a reddish discoloration of the cotton leaves may occasionally occur following the recommended treatment but the cotton plant will develop normally.

PRECAUTION: Do not feed treated foliage to livestock or graze treated fields.

AGRICULTURAL PLANTINGS: DSMA Herbicide is useful as a directed application in non-bearing vineyards and in non-bearing deciduous fruit, nut, and citrus orchards, such as almond, apple, apricot, cherry, grapefruit, lemon, lime, orange, peach, pear, plum, prune and tangerine orchards. It should be applied at the rate of 3 1/2 to 7 quarts per acre.

Mix DSMA Herbicide at the rate of 3 1/2 quarts in 50 gallons of water. Apply as a directed spray in interspaces and around bases of trees or vines. Spray unwanted vegetation to just short of run-off. If regrowth occurs, reapply as required. However, do not exceed 3 applications per year.

Do not allow spray solution to contact leaves, stems, or bark. Use a shield, if necessary, for nursery plantings or young trees. Do not apply around trees or vines from which fruit will be harvested within one year of treatment.

NON-CROP: DSMA Herbicide is useful for controlling crabgrass, cocklebur, dallisgrass, goosegrass, Johnsongrass, morningglory, nutsedge, pigweed, ragweed, watergrass, and similar weeds on drainage ditchbanks, rights-of-way, Storage yards and similar non-crop areas.

Mix DSMA Herbicide at the rate of 2 to 4 quarts in 50 gallons of water. Spray the unwanted vegetation thoroughly to the point of run-off. Any spray equipment that gives good coverage may be used. If regrowth occurs, retreat as required.

MIXING INSTRUCTIONS: Fill the spray equipment reservoir about half full with water and add the required amount of DSMA Herbicide with agitation. Finish filling the reservoir with water and apply. After use clean equipment thoroughly by flushing with water. Do not store spray solution in tanks for a prolonged period.

Do not contaminate waters used for domestic consumption or by animals, wildlife and aquatic life, or water for irrigation purposes.

NOTICE: Seller warrants that the product conforms to its chemical description and is

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reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller and Buyer assumes the risk of any such use.

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