



10088-35 09/24/2003 1/3
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 24 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Troy Munson
Athea Laboratories, Inc.
P.O. Box 240014
Milwaukee, WI 53224

Dear Mr. Munson:

Subject: Correction of Agency Approval Letters in Response to
Label Amendments Dated May 15, 2003
Conkill
EPA Registration No. 10088-13
Contact Herbicide #1
EPA Registration No. 10088-35
Diquat 4.35%
EPA Registration No. 10088-98

This is in response to your inquiries to the Agency regarding our label acceptance letters of August 12, 2003 for the referenced products. A complete label review was conducted for these labels, unfortunately, our response letter did not indicate this fact. This follow-up letter corrects the record regarding these label amendments. We regret any inconvenience this issue may have caused you.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. The amended label supersedes all previously accepted labels. A stamped copy of the label is enclosed for your records. Please submit one copy of the final printed label before you release the product for shipment.

Sincerely yours,

Joanne I. Miller

Joanne I. Miller
Product Manager 23
Herbicide Branch
Registration Division (7505C)

Enclosures

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS**

CAUTION

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT(PPE)

Applicators and other handlers must wear: coveralls over long-sleeved shirt and long pants; Butyl gloves, or nitrile gloves, or other gloves that glove selection charts or guidance indicate are chemical-resistant to the pesticide for the period of time required to perform the task, chemical-resistant footwear plus socks; chemical-resistant headgear for overhead exposure; chemical-resistant apron when cleaning equipment, mixing or loading; and a dust/mist filtering respirator with NIOSH approval number prefix TC-84A.

ENGINEERING CONTROLS

When handlers use closed systems or enclosed cabs 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.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outsides of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic invertebrates. 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 by cleaning of equipment or disposal of wastes or washwater. Local conditions may affect the use of this product. Consult Agricultural Extension Service for specific recommendations on dosage and time of application and for control of other weeds. Check with state and local authorities for necessary application permits.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited. Store at temperatures above 32°F.

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). 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.

CONTACT HERBICIDE #1

**A CONTACT, NON-SELECTIVE VEGETATION KILLER
FOR CONTROL OF BROADLEAF WEEDS AND GRASSES**

**KILLS MOST ALL FORMS OF PLANT GROWTH
WITHOUT DAMAGE TO THE SOIL**

ACTIVE INGREDIENTS:

Diquat Dibromide (6,7-Dihydrodipyrido(1,2-a:2',1'-c)
pyrazinedium dibromide) 1.85%

INERT INGREDIENTS: 98.15%

TOTAL 100.00%

Contains 0.083 Lbs. Diquat cation per gallon as 0.155 Lbs. salt per gallon.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID: IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth 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 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. For information on this pesticide (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378. For information on product, usage, etc., call 1-800-XXX-XXXX.

EPA REG. NO. 10088-35

EPA EST. NO. 10088-WI-1

Manufactured by:

**Athea Laboratories, Inc.
P.O. Box 240014
Milwaukee, WI 53224**

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its label. 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.

ENTRY RESTRICTIONS

For 4 days following applications to non-crop areas (other than aquatic or residential sites), do not allow employees to have contact with the treated plants, except for contact with their footwear. For spot-treatment applications to residential sites, do not allow people or pets to touch treated plants until the sprays have dried.

General vegetation control around buildings and other non-crop areas, ornamental gardens, walkways, patios, storage areas, beneath greenhouse benches, fence lines, golf courses, parkways, driveways, ditches, sand traps and similar areas where any type of vegetation is undesirable. Controls broadleaf weeds, brush and grasses. Kills most every type of plant life on contact - it kills through the leaves only. **THIS PRODUCT IS INACTIVATED ON CONTACT WITH THE SOIL.** Absorption and herbicidal action is usually quite rapid with effects visible in a few days.

General weed control in shrub areas: This product will not injure desirable plants as long as spray does not come into contact with leaves of these plants. It becomes inactivated on contact with soil and is not absorbed through roots. This herbicide is not residual and will not prevent seeds from sprouting or new growth from occurring.

Spot weed control in lawns and other areas: This product will kill undesirable grasses in lawns if these grasses are spot sprayed.

GOLF COURSES, DRIVEWAYS, PATIOS, ORNAMENTAL GARDENS, WALKWAYS, FENCEROWS AND OTHER NON-CROP AREAS including around commercial and manufacturing buildings, rights-of-way and storage yards for control of undesirable broadleaf weeds and grasses, including annual and perennial broadleaf weeds, chickweed, sedge, bermuda grass and other grasses.

Use 2-1/2 gallons of this product per 20 gallons of water (16 ounces per gallon of water). Apply as a directed spray to thoroughly wet the weeds. For best results, use a non-ionic surfactant in the spray mixture. Application may be made any time during the growing season. Repeat application as necessary. Do not water treated areas for 24 to 36 hours after application. Avoid spray contact with food crops or ornamental plants. Do not apply this product through any type of irrigation system.

0145.051403

NET CONTENTS:

☐ 1 ☐ 5 ☐ 6 ☐ 20
☐ 30 ☐ 35 ☐ 55 ☐ 250 Gallons

ACCEPTED

In EPA Letter Dated

SEP 24 2003

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

10088-35